

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

The Inclusive Communities Project, Inc.,
Plaintiff,
v.

The Texas Department of
Housing and Community Affairs, and
Michael Gerber,
Leslie Bingham-Escareño,
Tomas Cardenas,
C. Kent Conine,
Dionicio Vidal (Sonny) Flores,
Juan Sanchez Muñoz, and
Gloria L. Ray in their official capacities,
Defendants.

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Civil Action No. 3:08-CV-00546-D

APPENDIX IN SUPPORT OF ICP'S BRIEF
IN OPPOSITION TO FRI MOTION TO INTERVENE

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F R I
FRAZIER REVITALIZATION INC

A proud neighborhood, building its future.

April 18, 2012

Mr. Mike Daniel
Daniel & Beshara, P.C.
3301 Elm Street
Dallas, TX 75226

Dear Mike:

I understand that Judge Fitzwater has granted ICP a partial win in the ICP suit against TDHCA; and, as part of the settlement, directed ICP and TDHCA seek to work out a settlement within 60 days. The purpose of this letter is to request that ICP and TDHCA agree to recognize affordable housing projects in low-income census tracts that are part of comprehensive revitalizations supported by the City in the same manner as CBD or HOA projects.

As you know, I have great respect for you and your long record of standing up effectively for the poor, persons of color and others who often don't have the resources to rectify injustice. I recall first meeting you in the house of Clara Young, head of Rose Garden neighborhood association in South Dallas, when you were suing the City to remove a blighted apartment project. And you were successful and in its place now resides a very attractive apartment project financed by LIHT credits. (By the way, I was in Ms. Young's house recently and she is in declining health but continues to be grateful for what you did for her neighborhood.) As you will see, I'm concerned that the current TDHCA QAP and possible remedies from your lawsuit make it much more difficult for people like Ms. Young to remain in her neighborhood. She does not want to move to downtown or an affluent suburb, but does want neighborhoods in South Dallas to be able to continue to improve into mixed-income neighborhoods, with education, retail and other healthy community services to be available.

So, despite my respect for you and your work, in this suit, I cannot agree with the remedies you have sought for providing housing for our low-income, fellow citizens. Implementing the remedy you propose of dispersing tax credits to more affluent suburbs, will produce some needed housing there for lower-income citizens, but it will also have a devastating effect on low-income, blighted neighborhoods seeking to turn themselves around, without gentrifying out the poor as has happened in East Dallas. In essence, your remedy will condemn those like Ms. Young unable or unwilling to move to the suburbs to live in perpetual ghettos in our large Texas cities like Dallas. As we know, there is a scarcity of tax credits and overwhelming demand. So, the issue is one of priorities: should we seek first to revitalize existing low-income neighborhoods, or add affordable housing to move affluent neighborhoods?

In the case of the Hatcher Square project, you are correct that this is a community where there has been a concentration of low-income housing, including prior LIHTC awards. In hindsight, this may have been inadvisable. But there were also other public policy decisions that contributed to the resulting blighted conditions: e.g., highways cutting through residential neighborhoods, polluting industries adjacent to residential neighborhoods, low-performing public schools, etc. But here we are; and what are we going to do today to change these conditions of the poor? Ignore prior mistakes in public policy and turn a blind eye? Move the residents all downtown or to the suburbs?

It seems to me the blighted, low-income neighborhoods are problems to be solved (and have been in major urban cities across America by comprehensive neighborhood revitalizations initiatives – e.g., the Bronx, East and West Baltimore, South Atlanta, Southside Chicago, etc., etc.), not reasons to give up. And such a revitalization is what's underway at Frazier, which eventually allows conventional financing and for-profit builders to enter the market. And you and I both know just how limited resources are to remedy these historic problems. If there were more resources available, I would agree with you. But there are not. And in the current political climate of "starve the beast of government" it is likely that resources will continue to ebb. But does that mean we give up? Why should we instead prefer Central Business Districts and HOAs, which is code for better off Caucasian neighborhoods? Of course, affordable housing is needed there also, but other resources are available to solve the problems: whether conventional financing, inclusive zoning practices requiring commercial developers to set aside a small percentage as affordable units with its otherwise market rate rental projects, local bond capacities, etc. On the other hand, these alternative financing prospects are not available in low-income neighborhoods in South Dallas like Frazier.

So, because of scarce resources, the result of your challenges to TDHCA will be no adequate financing for low-income neighborhoods.

Also, I think we all agree that one-off tax credit deals are not particularly helpful in low-income neighborhoods. But comprehensive, City supported revitalization is crucial, and I would argue it's a higher order civil right, as well as a social justice issue.

We recommend that as part of your settlement discussions with TDHCA, otherwise qualified projects in low-income neighborhoods (like Frazier) with comprehensive revitalization initiatives (including affordable housing, education, healthcare, jobs, etc.) supported by the City, receive the same additional scoring to those in CBDs and HOAs (this year, 4 extra points under TDHCA's QAP). This at least levels the playing field for low-income neighborhoods that are being turned around. The alternative is perpetual slums. Surely, you do not support that prospect. I would also recommend you ask TDHCA to discontinue its requirement of adding an additional 15 years of compulsory affordable rents (beyond the 15 already required by HUD for tax credit deals). This will allow refinancing for the remodeling necessary after 15 years for apartments, so the projects don't become dilapidated.

Thank you for your consideration and best personal wishes.

Sincerely,



J. McDonald Williams

Cc: Judge Fitzwater
Tim Irvine
Mike Rawlings
Congresswoman Eddie Bernice Johnson
Senator Royce West
Congressman Rafael Anchia
Congressman Dan Branch
Congressman Eric Johnson



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Explanation of Pre-Application Submission Logs

2010 At-Risk Pre-Application Submission Log

This log contains all pre-applications submitted in the “At-Risk” or “USDA” set-asides. The Department is required to set-aside at least fifteen (15%) of the State Credit Ceiling for “At-Risk” development. The current estimated amount is \$7,662,997.

2010 Regional Pre-Application Submission Log

This log contains all pre-applications submitted for competition in each sub-region of the state. The current total estimated State Credit Ceiling is \$43,423,649. There are thirteen state regions that are divided into rural and urban sub-regions. Each sub-region has an estimated amount of allocation set-aside based on need for that sub-region. The amounts appearing at the beginning of each region in the log are estimated amounts and are subject to change.

Regions 4, 5, 6 and 8 contain applications that propose developments that are located in counties that were affected by Hurricane Ike. These applications (if competitive) may be awarded utilizing funds designated for Ike counties, if available, or with credit ceiling regionally allocated to the respective sub-region through the regional allocation formula if all Ike credits have been utilized. The current estimated amount for the Ike funding is \$14,906,160.

2010 Regional Pre-Application Log January 28

Sorted by Region, Allocation and Score

Estimated State Housing Credit Ceiling to be Allocated Regionally: \$43,423,649*

Region 1	File #	Status	Development Name	Address	City	Allocation 2	Set-Asides 3	LI	Total	Target 4	Credit	Owner	Construction 5	Self-	Notes 6
							USDA NP	Units	Units	Pop	Request	Contact	NC RH ADR	Score	

Region: 1

Allocation Information for Region 1: Total Credits Available for Region: \$1,664,820 Urban Allocation: \$1,019,618 Rural Allocation: \$645,203

These are estimated amounts and do not consider amounts returned from previous awards at this time.

Pre-Applications Submitted in Region 1: Urban

Status: A=Awarded, P=Pending

10236	1	P	Viking Road Apartments	Intersection of Viking Road and Ventura Road	Amarillo	Urban	<input type="checkbox"/>	<input type="checkbox"/>	132	132	General	\$1,365,000	Justin Zimmerman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	173	PA
													(417) 890-3239					
									Total:	132	132	\$1,365,000						
									Total:	132	132	\$1,365,000						

Pre-Applications Submitted in Region 1: Rural

Status: A=Awarded, P=Pending

10107	1	P	Tenth Street Apartments	SE Corner of Whittenburg St. and Tenth St.	Borger	Rural	<input type="checkbox"/>	<input type="checkbox"/>	48	48	General	\$565,000	Justin Zimmerman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	172	PA
													(417) 890-3239					
									Total:	48	48	\$565,000						
									Total:	48	48	\$565,000						

2 Applications in Region

Region Total: 180 180 \$1,930,000

1 = Status of Award Abbreviation: Development Previously Awarded 2010 Housing Tax Credits=A, Pending/ Non-Awarded Applications=P

2 = Allocation: Rural Regional Allocation or Urban Regional Allocation

3 = Set-Aside Abbreviations: TRDO-USDA=USDA, Nonprofit=NP. Only USDA applications proposing New Construction are reflected on this log. USDA applications proposing Rehabilitation will be attributed to, and come from, the At-Risk Set-Aside, and are located on the "At-Risk" log.

4 = Target Population Abbreviation: Intergenerational=Intg

5 = Construction Type: New Construction=NC, Rehabilitation=RH, Adaptive Reuse=ADR

6 = Notes: 2009 Applications Awarded from the 2010 Ceiling=FWD, Intent to Request=IR, Pre-Application=PA

* = The State Housing Credit Ceiling is an estimated amount based on 2009 population figures. This number does not reflect the 2010 actual population. This number represents the 85% of the State Housing Credit Ceiling that must be allocated regionally. The remaining 15% must be allocated under the At-Risk Set-Aside and must be deducted from the State Housing Credit Ceiling prior to the application of the regional allocation formula.

Region 1		Development Name		Address		City		Allocation 2		Set-Asides 3		LI	Total	Target4	Credit	Owner	Construction5			Self-	Notes
File #	Status									USDA NP	Units	Units	Pop	Request	Contact	NC	RH	ADR	Score		
Region: 2																					
Allocation Information for Region 2: Total Credits Available for Region: \$787,576 Urban Allocation: \$232,109 Rural Allocation: \$555,467																					
These are estimated amounts and do not consider amounts returned from previous awards at this time.																					
Pre-Applications Submitted in Region 2: Urban Status: A=Awarded, P=Pending																					
10108	2	P	Griffith Road Apartments	SW Corner of Griffith Road and Scottish Road	Abilene	Urban	<input type="checkbox"/>	<input type="checkbox"/>	84	84	General	\$890,000	Justin Zimmerman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	169	PA			
														(417) 890-3239							
10246	2	P	Green Briar Village Phase II	East Side of SH 240, south of Intersection with Airport Drive	Wichita Falls	Urban	<input type="checkbox"/>	<input type="checkbox"/>	36	36	General	\$442,818	Randy Stevenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	164	PA			
														(817) 261-5088							
									Total:	120	120		\$1,332,818								
									Total:	120	120		\$1,332,818								
Pre-Applications Submitted in Region 2: Rural Status: A=Awarded, P=Pending																					
10000	2	A	Mustang Heights Apts	E. Arizona Ave. & I 20	Sweetwater	Rural	<input type="checkbox"/>	<input type="checkbox"/>	80	80	General	\$950,000	J. Mark Wolcott	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	300	FWD			
														(830) 257-5323							
									Total:	80	80		\$950,000								
10106	2	P	Davis Lane Apartments	1500 Davis Lane	Brownwood	Rural	<input type="checkbox"/>	<input type="checkbox"/>	80	80	General	\$850,000	Justin Zimmerman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	171	PA			
														(417) 890-3239							
10023	2	P	Burkburnett Pioneer Crossing for Seniors	109 Williams Dr	Burkburnett	Rural	<input type="checkbox"/>	<input type="checkbox"/>	80	80	Elderly	\$1,000,000	Noor Jooma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	167	PA			
														(972) 242-7602							
10204	2	P	Villages of Eastland	Behind 125 Inspiration Blvd.	Eastland	Rural	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	51	60	Elderly	\$555,545	Brad Stephenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	147	PA			
														(254) 629-8400							
									Total:	211	220		\$2,405,545								
									Total:	291	300		\$3,355,545								
6 Applications in Region									Region Total:	411	420		\$4,688,363								

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Region 1							Set-Asides 3		LI	Total	Target 4	Credit	Owner	Construction 5			Self-	6	
File #	Status	Development Name	Address		City	Allocation 2	USDA	NP	Units	Units	Pop	Request	Contact		NC	RH	ADR	Score	Notes

Region: 3

Allocation Information for Region 3: Total Credits Available for Region: 10,081,419 Urban Allocation: \$9,040,208 Rural Allocation: \$1,041,211

These are estimated amounts and do not consider amounts returned from previous awards at this time.

Pre-Applications Submitted in Region 3: Urban				Status: A=Awarded, P=Pending														
10284	3	P	Atmos Lofts	1900 Jackson Street	Dallas	Urban	<input type="checkbox"/>	<input type="checkbox"/>	107	107	General	\$1,588,833	Ted Hamilton (214) 741-5100	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	187	PA
10153	3	P	Britain Way	1954 Shoaf	Irving	Urban	<input type="checkbox"/>	<input type="checkbox"/>	168	168	General	\$1,084,254	Tom Champion (334) 954-4458	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	187	PA
10285	3	P	The Plaza	1011 S. Akard Street	Dallas	Urban	<input type="checkbox"/>	<input type="checkbox"/>	200	203	General	\$2,000,000	Ted Hamilton (214) 741-5100	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	187	PA
10240	3	P	L'Atriums on the Creek Apartment	1676 Carter Drive	Arlington	Urban	<input type="checkbox"/>	<input type="checkbox"/>	476	484	General	\$1,200,000	Mike Lynd, Sr. (210) 798-8120	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	184	PA
10134	3	P	Champion Homes at Copperridge	5542 Maple Ave.	Dallas	Urban	<input type="checkbox"/>	<input type="checkbox"/>	107	107	General	\$1,500,000	Saleem Jafar (972) 701-5551	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	183	PA
10119	3	P	Race Street Lofts	2817/2905 Race St and 2812/2820/2822/2902 McLemore St	Fort Worth	Urban	<input type="checkbox"/>	<input checked="" type="checkbox"/>	36	36	General	\$614,128	Debra Guerrero (210) 487-7878	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	181	PA
10217	3	P	Moreau Forest Apartments	4000 blk of E. McKinney St.	Denton	Urban	<input type="checkbox"/>	<input type="checkbox"/>	152	156	General	\$1,830,000	Steve Lollis (713) 875-9456	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	180	PA
10093	3	P	Greenhaus at East Side Apartments	4611 East Side Avenue	Dallas	Urban	<input type="checkbox"/>	<input checked="" type="checkbox"/>	24	24	General	\$380,000	Maria Machado (214) 821-8510	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	180	PA
10265	3	P	Pinnacle Bar T Apartments	West side Teasley/FM 2181, North of Ranchman Blvd.	Denton	Urban	<input type="checkbox"/>	<input type="checkbox"/>	96	96	General	\$1,005,684	Lisa Stephens (305) 854-7100	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	180	PA
10079	3	P	Steeple Chase Farms	South FM 1417 and Park Ave	Sherman	Urban	<input type="checkbox"/>	<input type="checkbox"/>	156	156	General	\$2,000,000	Chris Dischinger (502) 639-8030	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	179	PA

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Thursday, January 28, 2010

Region File #	Status	Development Name	Address	City	Allocation	Set-Asides USDA NP	LI Units	Total Units	Target Pop	Credit Request	Owner Contact	Construction NC RH ADR	Self- Score	Notes
10027	3 P	Huntington at Greenville	300 Block S. Greenville Avenue and Main Street	Allen	Urban	<input type="checkbox"/> <input type="checkbox"/>	132	132	Elderly	\$1,500,000	Mark Musemeche (713) 522-4141	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	179	PA
10063	3 P	Ophelia Gardens	West Side of HWY 287 and South of Sublett Rd.	Arlington	Urban	<input type="checkbox"/> <input type="checkbox"/>	124	124	Elderly	\$1,650,000	Mark Lechner (502) 639-8032	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	179	PA
10010	3 P	Artisan at Hutchins	App. 16.088 acre tract of land located between N JJ Lemmom Rd & N Denton St	Hutchins	Urban	<input type="checkbox"/> <input checked="" type="checkbox"/>	128	128	General	\$1,700,000	Ryan Wilson (210) 694-2223	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	179	PA
10009	3 P	Creekside Village	3601 Miller Road	Rowlett	Urban	<input type="checkbox"/> <input type="checkbox"/>	118	118	Elderly	\$1,350,000	Charles Holcomb (936) 566-4572	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	179	PA
10260	3 P	Legend Square Apartments	Southeast corner US-77 & Bonnie Brae St.	Denton	Urban	<input type="checkbox"/> <input type="checkbox"/>	144	144	General	\$1,762,511	Rick J. Deyoe (512) 306-9206	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	179	PA
10219	3 P	Copley Square Apartments	2100 blk of E. Lamar St.	Sherman	Urban	<input type="checkbox"/> <input type="checkbox"/>	150	154	General	\$1,800,000	Michael Czapski (281) 850-0568	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	179	PA
10216	3 P	Copley Square Senior Apartments	1800 blk of E. Hwy 82	Sherman	Urban	<input type="checkbox"/> <input type="checkbox"/>	140	144	Elderly	\$1,600,000	Michael Czapski (281) 850-0568	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	179	PA
10068	3 P	McAlister Gardens	NE Side of McAlister Rd., and West I-35	Fort Worth	Urban	<input type="checkbox"/> <input type="checkbox"/>	124	124	Elderly	\$1,650,000	Mark Lechner (502) 639-8032	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	178	PA
10062	3 P	Willow Bay Apartments	East Side of Boat Club Rd. and Cromwell Marine Creek Drive	Fort Worth	Urban	<input type="checkbox"/> <input type="checkbox"/>	124	124	Elderly	\$1,650,000	Mark Lechner (502) 639-8032	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	178	PA
10075	3 P	Vermillion Park	Eastern Terminus of Emporium Square	Mesquite	Urban	<input type="checkbox"/> <input type="checkbox"/>	95	95	Elderly	\$1,000,000	Clifton Phillips (972) 243-4205	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	178	PA
10085	3 P	The Terrace at Founders Park	East Tilden Street and Englewood	Dallas	Urban	<input type="checkbox"/> <input type="checkbox"/>	154	172	Elderly	\$2,000,000	Diana McIver (512) 328-3232	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	178	PA

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Region 1		Development Name	Address	City	Allocation 2	Set-Asides 3		LI Units	Total Units	Target 4 Pop	Credit Request	Owner Contact	Construction 5			Self-Score	Notes 6
File #	Status					USDA	NP						NC	RH	ADR		
10038	3 P	Willow Oak	Approx. 3.5 acre tract at 13th St. and 14th St., West of Ave. G	Plano	Urban	<input type="checkbox"/>	<input type="checkbox"/>	150	150	Elderly	\$1,815,585	AV Mitchell (817) 652-9650	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	178	PA
10203	3 P	Jackson Square	1710 Jackson St.	Dallas	Urban	<input type="checkbox"/>	<input type="checkbox"/>	100	100	General	\$1,817,119	Jim Truitt (214) 573-6701	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	178	PA
10202	3 P	Brae Estates	3700 blk of NE 28th St.	Fort Worth	Urban	<input type="checkbox"/>	<input type="checkbox"/>	68	68	General	\$1,100,000	Kim McCaslin Schlieker (817) 477-0797	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	178	PA
10200	3 P	Hillside West Seniors	Near 32 Pinnacle Park Blvd.	Dallas	Urban	<input type="checkbox"/>	<input type="checkbox"/>	130	130	Elderly	\$2,000,000	Brandon Bolin (214) 991-8331	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	178	PA
10171	3 P	HomeTowne at Garland	1520 Castle Dr.	Garland	Urban	<input type="checkbox"/>	<input checked="" type="checkbox"/>	144	144	Elderly	\$1,448,451	Carla Simmons (817) 742-1851	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	177	PA
10233	3 P	Kleberg Commons	12700 Kleberg Road	Dallas	Urban	<input type="checkbox"/>	<input type="checkbox"/>	200	200	Elderly	\$2,000,000	Dale Lancaster (601) 672-6285	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	177	PA
10043	3 P	REG.TX\Live Oak Development	3003 Live Oak	Dallas	Urban	<input type="checkbox"/>	<input type="checkbox"/>	80	89	General	\$1,200,000	Garfield Bruff (972) 757-1585	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	176	PA
10081	3 P	Las Cimas Apartments	East of Beltline Rd. and South of Lassiter Rd. and North of I-20	Balch Springs	Urban	<input type="checkbox"/>	<input checked="" type="checkbox"/>	200	200	General	\$2,000,000	Scott Brian (502) 376-9532	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	176	PA
10230	3 P	Evergreen Residences-Jackson	2012 Jackson Street	Dallas	Urban	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	100	100	General	\$1,300,000	Graham Greene (214) 954-0430	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	174	PA
10232	3 P	Evergreen Residences-Willow	3800 Willow	Dallas	Urban	<input type="checkbox"/>	<input checked="" type="checkbox"/>	100	100	General	\$1,300,000	Graham Greene (214) 954-0430	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	173	PA
10019	3 P	Artisan at Broadmoor	West side Broadmoor Drive just south of Calmont Ave.	Fort Worth	Urban	<input type="checkbox"/>	<input checked="" type="checkbox"/>	160	160	General	\$2,000,000	Ryan Wilson (210) 694-2223	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	173	PA
10138	3 P	Evergreen Mesquite II Senior Community	Approx 900 block of E. U.S. Highway 80	Mesquite	Urban	<input type="checkbox"/>	<input checked="" type="checkbox"/>	164	164	Elderly	\$2,000,000	Liam Mulvaney (214) 932-1937	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	173	PA

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Region File #	Status	Development Name	Address	City	Allocation	Set-Asides USDA NP	LI Units	Total Units	Target Pop	Credit Request	Owner Contact	Construction NC RH ADR	Self- Score	Notes
10017	3 P	Artisan at Lake Worth	17 acres @ Las Vegas Trail and Loop 820	Fort Worth	Urban	<input type="checkbox"/> <input checked="" type="checkbox"/>	200	200	Elderly	\$2,000,000	Ryan Wilson (210) 694-2223	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	173	PA
10117	3 P	Terrell Homes I	Scattered Sites (North of Hwy 287, East of Hwy 35W, South of Hwy 30 and West of Marting Luther King Jr Hwy)	Fort Worth	Urban	<input type="checkbox"/> <input checked="" type="checkbox"/>	54	54	General	\$1,136,524	Debra Guerrero (210) 487-7878	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	173	PA
10006	3 P	Mansfield Pioneer Place	1197 W Broad St	Mansfield	Urban	<input type="checkbox"/> <input checked="" type="checkbox"/>	120	120	Elderly	\$1,200,000	James Leggs (817) 343-9528	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	173	PA
10147	3 P	Covington Creek Phase II	4188 W. Pioneer Dr.	Irving	Urban	<input type="checkbox"/> <input checked="" type="checkbox"/>	96	96	General	\$830,000	Michael N. Nguyen (817) 410-7712	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	172	PA
10137	3 P	Evergreen at Wylie	Approx the 600 to 700 block of South McCreary Road	Wylie	Urban	<input type="checkbox"/> <input checked="" type="checkbox"/>	156	156	Elderly	\$2,000,000	Liam Mulvaney (214) 932-1937	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	172	PA
10045	3 P	North Court Villas	10 acres on the south side of Stonebrook Pkwy. Between Woodstream Dr and Preston Rd	Frisco	Urban	<input type="checkbox"/> <input type="checkbox"/>	150	150	General	\$2,000,000	Dru Childre (512) 458-5567	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	172	PA
10173	3 P	Sphinx at Lawnview	4120 Lawnview Ave.	Dallas	Urban	<input type="checkbox"/> <input type="checkbox"/>	130	130	Elderly	\$1,580,000	Jay Oji (214) 342-1400	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	172	PA
10280	3 P	Everman Villas		Fort Worth	Urban	<input type="checkbox"/> <input type="checkbox"/>	140	140	General	\$1,800,000	Jay Oji (214) 342-1400	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	172	PA
10113	3 P	Promenade at Mercer Crossing	NW corner of Whittington Place and Senlac Dr	Farmers Branch	Urban	<input type="checkbox"/> <input type="checkbox"/>	124	124	Elderly	\$1,518,354	Brad Kyles (469) 522-4372	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	171	PA
10116	3 P	The Belleza	South side of Mayfield Rd (approx 750LF East of Mayfield Rd & New York Ave)	Arlington	Urban	<input type="checkbox"/> <input checked="" type="checkbox"/>	100	100	Elderly	\$1,290,798	Debra Guerrero (210) 487-7878	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	171	PA
10091	3 P	Silver Springs at Pleasant Ridge	S side Pleasant Ridge Rd. N of I- 20 between Bowen Rd. & Cooper St.	Arlington	Urban	<input type="checkbox"/> <input type="checkbox"/>	98	98	Elderly	\$997,546	Alice Wong (214) 713-9208	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	171	PA

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Region 1		Development Name	Address	City	Allocation 2	Set-Asides 3		LI Units	Total Units	Target 4 Pop	Credit Request	Owner Contact	Construction 5			Self-Score	Notes 6
File #	Status					USDA	NP						NC	RH	ADR		
10089	3 P	Silver Spring at Chapel Hill	SW corner of Bonds Ranch Road and Business 287/Saginaw Blvd.	Fort Worth	Urban	<input type="checkbox"/>	<input type="checkbox"/>	100	100	Elderly	\$979,908	Alice Wong	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	170	PA
												(214) 731-9208					
10158	3 P	Sedona Ranch	6101 Old Denton Rd.	Fort Worth	Urban	<input type="checkbox"/>	<input checked="" type="checkbox"/>	172	172	Elderly	\$2,000,000	Ileana Rodriguez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	170	PA
												(210) 530-0090					
10088	3 P	Silver Spring Hebron	SE corner of HWY 121 and Hebron PKWY W	Carrollton	Urban	<input type="checkbox"/>	<input type="checkbox"/>	108	108	Elderly	\$1,131,135	Alice Wong	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	170	PA
												(214) 731-9208					
10136	3 P	Evergreen at Richardson	SW quad of Renner Rd. & North Star Rd.	Richardson	Urban	<input type="checkbox"/>	<input checked="" type="checkbox"/>	170	170	Elderly	\$2,000,000	Liam Mulvaney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	169	PA
												(214) 932-1937					
10254	3 P	Creekview Apartments	500 S. FM 1417	Sherman	Urban	<input type="checkbox"/>	<input type="checkbox"/>	104	128	General	\$1,200,000	Edward Lantry Houillion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	169	PA
												(972) 824-4567					
10221	3 P	Residences at Rowlett Creek	Southwest corner of Northeast Parkway & Castle Dr.	Garland	Urban	<input type="checkbox"/>	<input type="checkbox"/>	180	180	General	\$1,879,650	Dan Allgeier	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	168	PA
												(972) 573-3411					
10148	3 P	Hillcrest	3750 Post Oak Blvd.	Euless	Urban	<input type="checkbox"/>	<input checked="" type="checkbox"/>	298	298	General	\$2,000,000	Michael N. Nguyen	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	168	PA
												(817) 410-7712					
10030	3 P	Langston Place	Northwest corner of Syamore and Elm Street	Denton	Urban	<input type="checkbox"/>	<input type="checkbox"/>	112	112	Elderly	\$1,154,606	Shirley Hensley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	168	PA
												(940) 383-3039					
10174	3 P	Westgate Senior Villas	901 Brown St	Wylie	Urban	<input type="checkbox"/>	<input type="checkbox"/>	130	130	Elderly	\$1,540,000	Joseph Agumadu	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	167	PA
												(214) 342-1400					
10247	3 P	Eagle Mountain Senior Village	Appr 200 ft South of Co Rd 4156 on Stribling Dr	Azle	Urban	<input type="checkbox"/>	<input type="checkbox"/>	124	124	Elderly	\$1,263,618	Randy Stevenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	167	PA
												(817) 261-5088					
10168	3 P	Residences at Frisco	NWQ of McKinney and Sunset	Frisco	Urban	<input type="checkbox"/>	<input checked="" type="checkbox"/>	200	200	General	\$2,000,000	Chris Applequist	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	165	PA
												(210) 530-0090					
10167	3 P	Residences at Melissa	SEQ of 121 and N. McDonald St. Melissa		Urban	<input type="checkbox"/>	<input checked="" type="checkbox"/>	136	136	General	\$2,000,000	Janice Degollado	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	165	PA
												(210) 530-0090					

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Thursday, January 28, 2010

Region 1		Development Name	Address	City	Allocation 2	Set-Asides 3		LI Units	Total Units	Target4 Pop	Credit Request	Owner Contact	Construction5			Self-Score	Notes 6
File #	Status					USDA	NP						NC	RH	ADR		
10021	3 P	Hatcher Square	Scyene Road at Hatcher Blvd	Dallas	Urban	<input type="checkbox"/>	<input type="checkbox"/>	113	126	General	\$2,000,000	William M. Carson (314) 335-2934	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	161	PA
10195	3 P	Alta North Loop	SE quadrant of I 35 W & N Loop 820	Fort Worth	Urban	<input type="checkbox"/>	<input type="checkbox"/>	200	200	General	\$2,000,000	Ray Smith (704) 332-8995	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	154	PA
10073	3 P	Southside Courts	100 Lake Meadows St.	Rockwall	Urban	<input type="checkbox"/>	<input type="checkbox"/>	35	44	General	\$388,961	Tony Rios (972) 771-0211	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	148	PA
10074	3 P	Garland Gardens Apartments	245 South Barnes Drive	Garland	Urban	<input type="checkbox"/>	<input type="checkbox"/>	216	216	General	\$1,764,474	Michael Molinari (727) 669-3660	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	146	PA
						Total:		8,317	8,413		\$92,502,139						
						Total:		8,317	8,413		\$92,502,139						
Pre-Applications Submitted in Region 3:			Rural	Status: A=Awarded, P=Pending													
10090	3 P	Silver Spring at Forney	SE side of FM 548 and Reeder Lane	Forney	Rural	<input type="checkbox"/>	<input type="checkbox"/>	80	80	Elderly	\$962,019	Alice Wong (214) 731-9208	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	177	PA
10059	3 P	Westway Place	44th Street, off West Park Row	Corsicana	Rural	<input type="checkbox"/>	<input checked="" type="checkbox"/>	40	40	General	\$546,764	Emanuel H. Glockzin, Jr. (979) 846-8878	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	176	PA
10050	3 P	West Park Senior Housing	West Park Row and 44th Street	Corsicana	Rural	<input type="checkbox"/>	<input checked="" type="checkbox"/>	48	48	Elderly	\$544,559	Emanuel H. Glockzin, Jr. (979) 846-8878	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	176	PA
10123	3 P	Hawthorne Village	Corsicana Crossing Blvd (approx 1500LF west of St Hwy 287)	Corsicana	Rural	<input type="checkbox"/>	<input checked="" type="checkbox"/>	80	80	General	\$1,200,000	Debra Guerrero (210) 487-7878	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	175	PA
10257	3 P	The Colony at Lake Granbury	Southwest corner Hwy. 4 & Thorp Springs Rd.	Granbury	Rural	<input type="checkbox"/>	<input type="checkbox"/>	80	80	Elderly	\$975,503	Rick J. Deyoe (512) 306-9206	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	174	PA
10092	3 P	Silver Spring Grand Heritage	SW side of HWY 78 and C.R. 484	Lavon	Rural	<input type="checkbox"/>	<input type="checkbox"/>	80	80	Elderly	\$1,017,286	Alice Wong (214) 731-9208	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	172	PA

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Region 1		Development Name	Address	City	Allocation 2	Set-Asides 3		LI Units	Total Units	Target 4 Pop	Credit Request	Owner Contact	Construction 5			Self-Score	Notes 6
File #	Status					USDA	NP						NC	RH	ADR		
10130	3 P	Meadow Vista Apartments	White Settlement Road (1/4 mile east of FM 730)	Weatherford	Rural	<input type="checkbox"/>	<input type="checkbox"/>	80	80	Elderly	\$895,404	Justin MacDonald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	172	PA
												(830) 257-5323					
10032	3 P	Mineral Wells Pioneer Crossing for Seniors	805 SE 14th St	Mineral Wells	Rural	<input type="checkbox"/>	<input type="checkbox"/>	80	80	Elderly	\$1,100,000	Noor Jooma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	170	PA
												(972) 242-7602					
10018	3 P	Granbury Seniors	App. 5.5 acres on Meadows Drive and FM 51	Granbury	Rural	<input type="checkbox"/>	<input type="checkbox"/>	80	80	Elderly	\$650,000	Ryan Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	168	PA
												(210) 694-2223					
						Total:		648	648		\$7,891,535						
						Total:		648	648		\$7,891,535						
69 Applications in Region						Region Total:		8,965	9,061		\$100,393,674						

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**Regional Awarded and Waiting List Applications
2011 Competitive Housing Tax Credit Program
As of October 4, 2011, TDHCA Board Meeting**

Estimated State Ceiling to be Allocated: \$48,038,915

Region File #	Status ¹	Development Name	Address	City	Allocation ²	Set-Asides ³ USDA NP	LI	Total Units	Target ⁴ Pop	Housing ⁵ Activity	Recommended* Credit	Owner Contact	TDHCA HOME	Final Score	Comment ⁶	
Region: 1																
Allocation Information for Region 1:			Total Credits Available for Region:			\$2,054,155		Urban Allocation:			\$1,189,699		Rural Allocation:		\$864,456	
Applications Submitted in Region 1:			Urban													
11195	1 R	Stonebridge of Lubbock	NWC of 71st St. and Ironton Ave.	Lubbock	Urban	<input type="checkbox"/>	<input type="checkbox"/>	152	152	G NC	\$1,865,935	Victoria W. Spicer	<input type="checkbox"/>	213.0	Competitive in Region	
Total:								152	152		\$1,865,935					
11074	1 N	The Villas at Tuscany	SWC of Lola Ave. and 66th St.	Lubbock	Urban	<input type="checkbox"/>	<input type="checkbox"/>	80	80	E NC	\$788,972	Brett Johnson	<input type="checkbox"/>	213.0	Not Competitive in Region	
11163	1 N	The Grove at Elm Park	approx. .18 miles W of 34th St. and Milwaukee Ave.	Lubbock	Urban	<input type="checkbox"/>	<input type="checkbox"/>	128	128	G NC	\$1,768,281*	Shari Flynn	<input type="checkbox"/>	206.0	Not Competitive in Region	
11067	1 N	Southwest Plains Villas	E 4th & Guava St.	Lubbock	Urban	<input type="checkbox"/>	<input type="checkbox"/>	120	120	G NC	\$1,999,908*	R. J. Collins	<input type="checkbox"/>	200.0	Not Competitive in Region	
Total:								328	328		\$4,557,161					
Total:								480	480		\$6,423,096					
Applications Submitted in Region 1:			Rural													
11164	1 R	Oasis Cove	N corner of N 7th St. and 9th Ave.	Canadian	Rural	<input type="checkbox"/>	<input type="checkbox"/>	56	64	G NC	\$760,840	Mark Mayfield	<input checked="" type="checkbox"/>	204.0	Competitive in Region	
Total:								56	64		\$760,840					
11196	1 N	Central Village Apts	910 W 28th St.	Plainview	Rural	<input type="checkbox"/>	<input type="checkbox"/>	84	84	G AC/RH	\$719,572*	Daniel F. O'Dea	<input type="checkbox"/>	193.0	Not Competitive in Region	
Total:								84	84		\$719,572					
Total:								140	148		\$1,480,412					
6 Applications in Region								Region Total:	620	628		\$7,903,508				

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4 = Target Population Abbreviation: Intergenerational=I, Elderly=E, General=G.

5 = Housing Activity: New Construction=NC, Rehabilitation (includes Reconstruction)=RH, Adaptive Reuse=ADR.

6 = Comment: Reason for Recommendation

* = Recommended Credit: Development is displaying the requested amount because a real estate analysis has not yet been completed.

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Wednesday, October 05, 2011

Region File #	Status ¹	Development Name	Address	City	Allocation ²	Set-Asides ³ USDA NP	LI	Total Units	Target ⁴ Units	Housing ⁵ Pop	Activity	Recommended* Credit	Owner Contact	TDHCA HOME	Final Score	Comment ⁶	
Region: 2																	
Allocation Information for Region 2:			Total Credits Available for Region: \$1,268,773				Urban Allocation:				\$703,775	Rural Allocation:			\$564,998		
Applications Submitted in Region 2:			Urban														
11246	2 R	Tylor Grand	4249 Catclaw Dr.	Abilene	Urban	<input type="checkbox"/>	<input type="checkbox"/>	119	120	G	NC	\$1,395,109	Louis Wolfson III	<input type="checkbox"/>	212.0	Significant Sub-Regional Shortfall in State Collapse	
11089	2 R	Parkstone Senior Village Phase II	Approximately 1401 W Rathgeber Rd.	Wichita Falls	Urban	<input type="checkbox"/>	<input type="checkbox"/>	64	64	E	NC	\$721,737*	Randy Stevenson	<input type="checkbox"/>	197.0	2012 FWD	
Total:								183	184			\$2,116,846					
11066	2 N	Anson Park III	2820 Old Anson Rd.	Abilene	Urban	<input type="checkbox"/>	<input type="checkbox"/>	76	80	G	NC	\$1,068,981*	Jay Collins	<input type="checkbox"/>	207.0	Not Competitive in Region	
11180	2 N	Rainy Creek Apts	Griffith Rd. at Scottish Rd.	Abilene	Urban	<input type="checkbox"/>	<input type="checkbox"/>	84	84	G	NC	\$967,134*	Justin Zimmerman	<input type="checkbox"/>	203.0	Not Competitive in Region	
Total:								160	164			\$2,036,115					
Total:								343	348			\$4,152,961					
Applications Submitted in Region 2:			Rural														
11061	2 R	Pioneer Crossing for Seniors Burkburnet	1100 Christie Ln.	Burkburnett	Rural	<input type="checkbox"/>	<input type="checkbox"/>	80	80	E	NC	\$866,446	Noorallah Jooma	<input checked="" type="checkbox"/>	206.0	Significant Sub-Regional Shortfall in State Collapse	
Total:								80	80			\$866,446					
Total:								80	80			\$866,446					
5 Applications in Region								Region Total:		423	428			\$5,019,407			

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6 = Comment: Reason for Recommendation

* = Recommended Credit: Development is displaying the requested amount because a real estate analysis has not yet been completed.

Region File #	Status ¹	Development Name	Address	City	Allocation ²	Set-Asides ³ USDA NP	LI Units	Total Units	Target ⁴ Pop	Housing ⁵ Activity	Recommended* Credit	Owner Contact	TDHCA HOME	Final Score	Comment ⁶	
Region: 3																
Allocation Information for Region 3:			Total Credits Available for Region:\$10,357,103					Urban Allocation:		\$9,187,049		Rural Allocation:		\$1,170,054		
Applications Submitted in Region 3:			Urban													
11004	3 A	North Court Villas	South side Stonebrook Pkwy between Woodstream Dr & Preston Rd	Frisco	Urban	<input type="checkbox"/> <input type="checkbox"/>	150	150	G	NC	\$2,000,000	Cherno M. Njie	<input type="checkbox"/>	300.0	Forward Commitment of 2011 Credits Made in 2010	
11012	3 A	Hillside West Seniors	Near 32 Pinnacle Park Blvd.	Dallas	Urban	<input type="checkbox"/> <input type="checkbox"/>	130	130	E	NC	\$1,624,738	Brandon Bolin	<input type="checkbox"/>	300.0	Forward Commitment of 2011 Credits Made in 2010	
11011	3 A	Sedona Ranch	6101 Old Denton Rd.	Fort Worth	Urban	<input type="checkbox"/> <input type="checkbox"/>	172	172	E	NC	\$1,940,000	Manish Verma	<input type="checkbox"/>	300.0	Forward Commitment of 2011 Credits Made in 2010	
11007	3 A	Terrell Homes I	Scattered Sites (N. of Hwy 287, E. of Hwy 35W, S. of Hwy 30 and W. of MLK Jr. Hwy)	Fort Worth	Urban	<input type="checkbox"/> <input type="checkbox"/>	54	54	G	NC	\$1,136,782	Jesus Chapa	<input type="checkbox"/>	300.0	Forward Commitment of 2011 Credits Made in 2010	
							Total:	506	506							\$6,701,520
11248	3 R	Singing Oaks	307 N Loop 288	Denton	Urban	<input type="checkbox"/> <input type="checkbox"/>	122	126	G	AC/RH	\$1,368,129	Mitchell Friedman	<input type="checkbox"/>	215.0	Competitive in Region	
11223	3 R	The Terrace at MidTowne	SWC of George Hopper Rd. and Abigail	Midlothian	Urban	<input type="checkbox"/> <input type="checkbox"/>	84	96	E	NC	\$1,017,933	Diana McIver	<input checked="" type="checkbox"/>	211.0	Competitive in Region	
11139	3 R	Champion Homes at Copperidge	5522 Maple Ave.	Dallas	Urban	<input type="checkbox"/> <input type="checkbox"/>	126	252	G	NC	\$2,000,000*	Saleem Jafar	<input type="checkbox"/>	196.0	2012 FWD	
11114	3 R	Green Haus on the Santa Fe Trail	4611 East Side Ave.	Dallas	Urban	<input type="checkbox"/> <input checked="" type="checkbox"/>	24	24	G	NC	\$191,228*	Maria Machado	<input type="checkbox"/>	180.0	2012 FWD	
							Total:	356	498							\$4,577,290
11127	3 N	1400 Belleview	1401 Browder St.	Dallas	Urban	<input type="checkbox"/> <input type="checkbox"/>	164	164	G	NC	\$2,000,000*	Kristian Teleki	<input type="checkbox"/>	210.0	Not Competitive in Region	
11098	3 N	Hatcher Square	NWC of Scyene Rd. at Hatcher Blvd.	Dallas	Urban	<input type="checkbox"/> <input type="checkbox"/>	136	136	G	NC	\$2,000,000*	Jon Edmonds	<input type="checkbox"/>	210.0	Not Competitive in Region	
11183	3 N	Lakeside Village Homes	Scattered sites bordered by W Vickery Blvd., W Rosedale St., Bryant Irvin Rd., Camp Bowie W Blvd. and Hulen St.	Fort Worth	Urban	<input type="checkbox"/> <input type="checkbox"/>	36	36	G	NC	\$733,139*	Jesus Chapa	<input type="checkbox"/>	209.0	Not Competitive in Region	
11216	3 N	The Sierra on Pioneer Road	SEC of Pioneer Rd. and Sierra Dr.	Mesquite	Urban	<input type="checkbox"/> <input type="checkbox"/>	84	92	E	NC	\$900,000*	Janine Sisak	<input checked="" type="checkbox"/>	208.0	Not Competitive in Region	

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File #	Region Status ¹	Development Name	Address	City	Allocation ²	Set-Asides ³		LI Units	Total Units	Target ⁴ Pop	Housing ⁵ Activity	Recommended*Owner		TDHCA HOME	Final Score	Comment ⁶	
						USDA NP	Credit					Contact					
11178	3 N	Esperanza Cove Senior Apts	2819 E Belknap St.	Fort Worth	Urban	<input type="checkbox"/>	<input type="checkbox"/>	61	61	E	NC	\$775,979*	Jesus Chapa	<input type="checkbox"/>	206.0	Not Competitive in Region	
11124	3 N	Peoples El Shaddai	2836 E Overton Rd.	Dallas	Urban	<input type="checkbox"/>	<input type="checkbox"/>	100	100	G	AC/RH	\$1,168,597*	Jeff Huggett	<input type="checkbox"/>	199.0	Not Competitive in Region	
11056	3 N	St. Paul Apts	1801 Young St. & 1818 Wood St.	Dallas	Urban	<input type="checkbox"/>	<input type="checkbox"/>	146	146	G	NC	\$1,408,163*	Lawrence E. Hamilton III	<input type="checkbox"/>	199.0	Not Competitive in Region	
11142	3 N	Veterans Place	4623 S Lancaster Rd.	Dallas	Urban	<input type="checkbox"/>	<input type="checkbox"/>	150	150	G	NC	\$1,703,127*	Yigal Lelah	<input type="checkbox"/>	192.0	Not Competitive in Region	
11205	3 N	Hawk Ridge Apts	9200 block of Dale Ln.	White Settlement	Urban	<input type="checkbox"/>	<input type="checkbox"/>	144	144	G	NC	\$1,468,620*	Bert Magill	<input type="checkbox"/>	191.0	Not Competitive in Region	
11244	3 N	E2 Flats	211 N Ervay	Dallas	Urban	<input type="checkbox"/>	<input type="checkbox"/>	119	119	G	ADR	\$1,759,015*	Bill Newsome	<input type="checkbox"/>	184.0	Not Competitive in Region	
11107	3 N	Kinwest Manor	1500 block of Kinwest Pkwy	Irving	Urban	<input type="checkbox"/>	<input checked="" type="checkbox"/>	156	156	E	NC	\$1,913,438*	Bradley Kyles	<input type="checkbox"/>	183.0	Not Competitive in Region	
11262	3 N	The Millennium - McKinney	McKinney Ranch Rd. and Stacy Rd.	McKinney	Urban	<input type="checkbox"/>	<input type="checkbox"/>	172	172	G	NC	\$2,000,000*	Brandon Bolin	<input type="checkbox"/>	165.0	Not Competitive in Region	
								Total: 1,468		1,476				\$17,830,078			
								Total: 2,330		2,480				\$29,108,888			
Applications Submitted in Region 3: Rural																	
11005	3 A	Silver Spring at Forney	SEC of FM 548 and Reeder Ln.	Forney	Rural	<input type="checkbox"/>	<input type="checkbox"/>	80	80	E	NC	\$802,682	Alice Wong	<input type="checkbox"/>	300.0	Forward Commitment of 2011 Credits Made in 2010	
								Total:		80		80		\$802,682			
11062	3 N	Pioneer Crossing for Seniors Mineral Wells	1500 Martin Luther King St.	Mineral Wells	Rural	<input type="checkbox"/>	<input type="checkbox"/>	36	36	E	NC	\$517,747*	Noorallah Jooma	<input checked="" type="checkbox"/>	210.0	Not Competitive in Region	
11122	3 N	Silver Spring Grand Heritage	SWC of Hwy 78 and CR 484	Lavon	Rural	<input type="checkbox"/>	<input type="checkbox"/>	80	80	E	NC	\$986,853*	Alice Wong	<input type="checkbox"/>	210.0	Not Competitive in Region	
11222	3 N	Westway Place	44th St., off W Park Row	Corsicana	Rural	<input type="checkbox"/>	<input type="checkbox"/>	36	36	G	NC	\$546,156*	Emanuel H. Glockzin, Jr.	<input checked="" type="checkbox"/>	204.0	Not Competitive in Region	
11230	3 N	West Park Senior Housing	W Park Row and 44th St.	Corsicana	Rural	<input type="checkbox"/>	<input checked="" type="checkbox"/>	48	48	E	NC	\$636,948*	Emanuel H. Glockzin, Jr.	<input checked="" type="checkbox"/>	204.0	Not Competitive in Region	
11175	3 N	Three Forks Ranch	US Hwy 175 and State Hwy 34	Kaufman	Rural	<input type="checkbox"/>	<input checked="" type="checkbox"/>	80	80	E	NC	\$939,820*	Monique Allen	<input type="checkbox"/>	200.0	Not Competitive in Region	
11171	3 N	South Fork Apts	Lockhart Rd. at W Washington St.	Stephenville	Rural	<input type="checkbox"/>	<input type="checkbox"/>	59	60	G	NC	\$729,975*	Justin Zimmerman	<input type="checkbox"/>	193.0	Not Competitive in Region	
11020	3 N	The Grand Texan-Waxahachie	SEC of U.S. Hwy 77 and Park Hills Dr.	Waxahachie	Rural	<input type="checkbox"/>	<input type="checkbox"/>	65	80	E	NC	\$705,431*	Kenneth H. Mitchell	<input type="checkbox"/>	190.0	Not Competitive in Region	
								Total:		404		420		\$5,062,930			

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Wednesday, October 05, 2011



Competitive (9%) Housing Tax Credit Application Summary Log

April 17, 2012

The Application log is organized by region and subregion. Applicants selecting the At-Risk/USDA Set-Asides are listed first and are organized by score rather than by region. Where scores indicate a tie between more than one application in a subregion or At-Risk, no representation is made regarding how the applications would be ranked after applying the tie breaker factors in the Qualified Allocation Plan. Forward commitments approved by the Board in 2011 and being allocated from the 2012 ceiling are not reflected below. These forward commitments are accounted for separately and have already been removed from the estimates of the available funding for each region. The information reflected herein is based on representations made by each applicant. Some figures may change as inconsistencies or missing information in applications are resolved through the administrative deficiency process.

- UPDATED April 19, 2012 - Updates to the log include:
- The addition of notes for those transactions that have withdrawn or have been terminated. Note that applicants with terminated applications may continue to have appeal rights.
 - Three new columns to the far right identifying the figures to be used in determining preference for funding should two or more applications be tied. Applicants are encouraged to review the QAP Section 50.6(f) for additional details.
 - Correct calculations for a handful of applications.



Competitive (9%) Housing Tax Credit Application Summary Log

April 17, 2012

Application Number	Development Name	Development Address	Development City	Development County	Development Zip Code	Rural/Urban	Construction Type	Total HTC Units	Total MR/EO Units	Total Units	Target Population	TDHCA HOME	Credit/Funding Request	Applicant Self Score	Notes	2010 Census Tract	Units / Capita \$50.6(f)(1)(A)	Tax Credits / Person \$50.6(f)(1)(B)
Region 3 / Urban																		
12182	1701 Canton - EVERgreen Residences	1701 Canton	Dallas	Dallas	75201	Urban	New Construction	130	0	130	Supportive Housing		\$ 2,000,000	181		48113020400	-	\$ 5,089
12204	Venetian Gardens	952 South Broadway St.	Joshua	Johnson	76058	Urban	New Construction	94	10	104	General		\$ 900,000	179		48251130214	-	\$ 2,542
12077	Solana Apartments	3510 Boston Ave.	Benbrook	Tarrant	76116	Urban	New Construction	119	29	148	General		\$ 1,285,000	179		48439110901	-	\$ 2,728
12025	Hawk Ridge Apartments	9200 Dale Ln.	White Settlement	Tarrant	76108	Urban	New Construction	144	0	144	General		\$ 1,517,355	179		48439110703	-	\$ 3,328
12083	Harmon Villas	9592 Harmon Rd.	Fort Worth	Tarrant	76177-7544	Urban	New Construction	150	0	150	General		\$ 1,769,613	179		48439113926	-	\$ 3,352
12062	Cadillac Apartments	SWC of Cadiz and S. Ervay	Dallas	Dallas	75201	Urban	New Construction	164	0	164	Supportive Housing		\$ 855,730	179		48113020400	-	\$ 3,479
12221	Riverstone Trails	Planters Rd. near Hwy. 80	Sunnyvale	Dallas	75182	Urban	New Construction	95	1	96	General		\$ 1,320,000	179		48113018104	-	\$ 3,548
12389	Riverstone Ranch	SEC Hwy 360 and Mansfield Stadium Entrance	Mansfield	Tarrant	76063	Urban	New Construction	86	10	96	General		\$ 684,246	178		48439111313	-	\$ 1,966
12332	Apple Grove Villas	NEQ of Gus Thomasson and Hwy 80	Mesquite	Dallas	77150	Urban	New Construction	192	21	213	General		\$ 2,000,000	178		48113017804	-	\$ 2,905
12271	The Reserve at Western Center	SWC of Western Center Blvd. and Watauga Smithville Rd.	Fort Worth	Tarrant	76131	Urban	New Construction	120	0	120	General		\$ 1,325,000	178		48439113926	-	\$ 3,200
12098	1400 Belleview	1401 Browder St.	Dallas	Dallas	75215	Urban	New Construction	164	0	164	General		\$ 1,557,000	178		48113020400	-	\$ 3,316
12372	Mariposa at Woodbridge	0.25 miles S of McCreary Rd. & W. Kirby (aka FM 544) on McCreary Rd. (East	Wylie	Collin	75098	Urban	New Construction	154	26	180	Elderly	X	\$ 1,659,628	178		48085031317	-	\$ 4,373
12113	Churchill at Northlake	SEQ of Raceway Dr. and Elizabethtown Cementary Rd.	Northlake	Denton	76262	Urban	New Construction	144	0	144	General	X	\$ 1,786,452	178		48121020306	-	\$ 4,223
12024	Artisan at Twin Creeks	E side of Stockton Dr., North of W. Exchange Pkwy.	Allen	Collin	75013	Urban	New Construction	150	0	150	Elderly	X	\$ 1,655,766	178		48085031405	-	\$ 4,995
12104	Evergreen at Euless	SWQ of Dickey Dr. & E. Euless Blvd. (TX Hwy 10)	Euless	Tarrant	76039	Urban	New Construction	170	0	170	Elderly	X	\$ 1,999,783	178		48439113513	-	\$ 5,089
12069	Evergreen at Rowlett	5404 Kenwood Dr.	Rowlett	Dallas	75088	Urban	New Construction	130	0	130	Elderly	X	\$ 1,610,858	178		48113018139	-	\$ 5,239
12288	Cedarwood Apartments	323 W. Beltline	Cedar Hills	Dallas	75104-2020	Urban	Reconstruction	34	3	37	Elderly	X	\$ 510,789	178		48113016614		\$ 6,081
12160	Residences of Greenville	NWC Trader Rd.	Greenville	Hunt	75402	Urban	New Construction	78	0	78	Elderly		\$ 837,182	177		48231961200	-	\$ 4,260
12274	AT Villages at Elk River	6.9 acres W of I-35E and N of Cinemark 14	Denton	Denton	76210	Urban	New Construction	146	16	162	Elderly		\$ 1,444,819	177		48121021303	-	\$ 4,587
12317	The Sierra on Pioneer Road	SEC Pioneer Rd. and Sierra Dr.	Mesquite	Dallas	75149	Urban	New Construction	79	10	89	Elderly		\$ 1,005,462	176		48113017303	-	\$ 6,094
12159	Hatcher Square	NWC of Scyene Rd. and Hatcher Blvd.	Dallas	Dallas	75210	Urban	New Construction	136	0	136	General		\$ 1,650,000	175		48113002702	-	\$ 4,059
12289	KIRON at Wilshire Boulevard	1701 SW Wilshire Blvd.	Burleson	Johnson	76028	Urban	New Construction	156	12	168	General		\$ 1,764,413	153	Terminated	48251130211	-	\$ 3,501
Max Eligible Request		\$2,000,000		Amount Available		Region 3 Urban		22		Total		\$31,139,097						

Copy of 12-QuantCommParticipationLog.xlsx
Sen-Rep Letters

This list reflects the points that will be attributed to each 2012 Competitive Housing Tax Credit Application under §50.9(b)(6) of the 2012-2013 Qualified Allocation Plan based on the documentation received by the Texas Department of Housing and Community Affairs from State of Texas Senators and Representatives by May 1, 2012. Only letters from officials that represent the constituents in areas that include the Development Site qualify for points under this section. Support letters will receive +16 points and opposition letters will receive -16 points. If one letter is received in support and one letter is received in opposition the total score is 0 points. The list is sorted by Application number. If you believe that any of the information reflected in this table is incorrect, please contact Jean Latsha at jean.latsha@tdhca.state.tx.us or (512) 475-1676.

Application Number	Development Name	Region	TX Senator Comment	TX Rep Comment	Points
12020	Palisades of Inwood	6	NC	S	16
12022	Galveston Initiative I	6	O	NC	-16
12024	Artisan at Twin Creeks	3	NC	NC	0
12025	Hawk Ridge Apartments	3	NC	S	16
12028	Heritage Oak Hill	7	S	S	16
12031	Mesquite Terrace	12	NC	S	16
12032	Heartland Village Apartments	4	S	NC	16
12034	Meadow Place Apartments	2	NC	S	16
12038	Colonial Ridge Apartments	6	O	S	0
12042	Brentwood Apartments	6	NC	S	16
12045	Elmwood Apartments	8	S	S	16
12048	Cottonwood Apartments	10	S	S	16
12049	Brownstones Midland	12	S	S	16
12051	Brownstones Tyler	4	S	S	16
12053	The Manor at Hancock Park	8	S	S	16
12058	Plantation Manor, Ltd.	8	NC	NC	0
12059	Retirement Acres, Ltd.	8	NC	NC	0
12060	The Reserves at High Plains	1	S	NC	16
12061	Lost Creek	4	NC	S	16
12062	Cadillac Apartments	3	S	NC	16
12063	Stockbauer Landings Apartments	10	S	S	16
12065	La Ventana Apartments	2	S	S	16
12066	Barron's Branch	8	NC	S	16
12067	Amberwood Place	4	NC	S	16
12069	Evergreen at Rowlett	3	NC	S	16
12074	Acadiana Village	5	S	NC	16
12075	Saddlebrook Apartments	2	NC	S	16
12077	Solana Apartments	3	NC	NC	0
12080	Place of Grace	5	S	NC	16
12083	Harmon Villas	3	S	NC	16
12084	San Gabriel Apartments	7	S	NC	16
12088	The Huntington at Bryan	8	S	S	16
12089	Briarbend	5	S	NC	16
12092	The Huntington	6	NC	S	16
12098	1400 Belleview	3	S	NC	16
12099	Lindale Senior Living Community	4	NC	NC	0
12100	Pinewood Park	5	NC	S	16
12104	Evergreen at Euless	3	NC	S	16
12105	New Haven	4	NC	S	16
12107	Calhoun Street Seniors	6	NC	NC	0
12108	Amarillo Senior Living Community	1	NC	NC	0
12109	Montgomery County Living Community	6	O	NC	-16
12112	Inez Tims	5	NC	S	16
12113	Churchill at Northlake	3	NC	NC	0
12114	Timberedge Village	6	NC	S	16
12118	Spring Trace	6	NC	S	16
12120	Villas at the Orchard	11	NC	S	16
12121	Memorial Apartments	11	S	NC	16
12123	Toepperwein Senior	9	S	S	16
12125	Monarch Meadows	1	NC	S	16
12126	San Elizario Palms II	13	NC	S	16
12127	Clint Palms	13	NC	S	16
12132	Monte Viejo	9	NC	S	16
12134	Christie's Cove	11	S	NC	16
12136	Sierra Cove	11	NC	NC	0
12140	Kiron at Mesquite Lane	7	NC	S	16

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Application Number	Development Name	Region	TX Senator Comment	TX Rep Comment	Points
12145	Comfort Place	9	S	S	16
12146	Seaside Manor	10	S	S	16
12147	Sunflower Gardens	11	S	NC	16
12149	North Desert Palms	13	S	NC	16
12150	Whitetail Ridge Apartments	5	NC	S	16
12152	Eastside Crossings	13	S	NC	16
12153	Eastpointe Estates	13	S	NC	16
12154	Villas at West Mountain	13	NC	S	16
12155	Laureles del Este	13	S	NC	16
12159	Hatcher Square	3	S	S	16
12160	Residences of Greenville	3	S	NC	16
12165	GardenWalk of La Grange, Schulenburg and Weimar	6	NC	S	16
12166	Villa Brazos	6	NC	S	16
12168	Robbins Villas	4	NC	S	16
12170	Fairfield Creek Estates	6	S	S	16
12174	Royal Garden Mineral Wells	3	NC	S	16
12175	Royal Garden Sulphur Springs	4	S	NC	16
12177	Royal Gardens Rio Grande City	11	S	S	16
12179	River Terrace	7	NC	S	16
12180	Residences of Decatur	3	NC	S	16
12182	1701 Canton - EVERgreen Residences	3	S	S	16
12184	SilverLeaf at Quail Creek	1	S	S	16
12188	Independent Missionary Village	6	S	S	16
12191	Riverwood Commons Phase II	7	NC	S	16
12192	The Hamilton	6	S	S	16
12197	Campanile on Briar Forest	6	NC	NC	0
12199	Freedom's Path at Kerrville	9	S	NC	16
12202	Park Laureate	11	S	NC	16
12204	Venetian Gardens	3	NC	NC	0
12206	Spring Hills Apartments	6	NC	S	16
12210	Park Hudson Senior Development	8	S	S	16
12212	Palm Gardens	10	NC	S	16
12216	College Station Senior	8	S	S	16
12218	The Reserve at Rosharon	6	NC	NC	0
12221	Riverstone Trails	3	NC	S	16
12222	Playa Lake Apartments	1	NC	S	16
12223	Hidden Hollow	1	S	NC	16
12225	Cypress Lake Apartments	1	NC	S	16
12228	Iowa Park Homes	2	NC	S	16
12239	Songhai at West Gate	7	NC	S	16
12243	Dunes Apartments	12	S	S	16
12244	Monahans Apartments	12	NC	S	16
12245	Perryton Apartments	1	S	S	16
12246	The Grove at Elm Park	1	NC	S	16
12248	Lexington Manor Apartments	10	S	S	16
12249	Grand Manor Apartments	4	S	S	16
12252	Gulf Coast Arms	6	S	S	16
12254	The Palms at Leopard	10	NC	S	16
12260	Wichita Homes	2	NC	S	16
12262	Georgetown Senior	7	S	S	16
12264	LULAC Hacienda Apartments	10	S	NC	16
12267	Cornerstone Apartments	11	S	NC	16
12268	Stonebridge of Plainview	1	NC	S	16
12269	Stonebridge of Kelsey Park	1	NC	S	16
12271	The Reserve at Western Center	3	S	NC	16
12274	AT Villages at Elk River	3	NC	S	16

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Application Number	Development Name	Region	TX Senator Comment	TX Rep Comment	Points
12276	AT Villages at Cypress	6	S	S	16
12277	TGO Villages at Ridge	11	S	S	16
12278	TGO Independence Village	10	NC	S	16
12288	Cedarwood Apartments	3	NC	NC	0
12289	KIRON at Wilshire Boulevard	3	NC	NC	0
12290	Woodbridge of Lubbock	1	NC	S	16
12297	Abbingdon Commons	3	S	NC	16
12300	Capital Studios	7	S	S	16
12302	Farm Labor Apartments	11	S	NC	16
12303	Pinedale Village	5	NC	S	16
12306	Stardust Apartments	11	S	S	16
12308	North Bartlett Ave Apartments	11	S	S	16
12309	Ana M Lozano Apartments	11	S	S	16
12310	The Monarch at Bay Prairie	6	NC	S	16
12314	Parkview Place	6	S	NC	16
12317	The Sierra on Pioneer Road	3	S	NC	16
12318	Cottonwood Square	7	S	S	16
12323	Lexington Court Phase III	4	S	S	16
12326	Summerstone Senior Village	3	NC	S	16
12327	West Park Senior Housing	3	NC	S	16
12328	Windvale Park Phase II	3	NC	S	16
12329	Stonebridge Place	4	NC	S	16
12332	Apple Grove Villas	3	S	NC	16
12334	The Overlook at Linheir Farm	8	NC	S	16
12336	The Residences of Solms Village	9	S	NC	16
12339	Hacienda del Sol	11	S	S	16
12342	The Tribute Apartments	6	NC	NC	0
12345	Merritt Legacy	7	S	S	16
12346	Merritt Hill Country	7	S	S	16
12347	Merritt Estates	7	S	S	16
12356	Sunrise Villas Apartments	10	S	S	16
12359	The Villas at Woodbend	10	NC	S	16
12361	El Campo Village	6	S	NC	16
12362	Villas at Henderson	4	S	S	16
12365	Stepping Stone & Taylor Square Apartments	7	S	S	16
12366	Pecan Grove & Pecan Creek Village Apartments	8	NC	S	16
12367	Justice Park Senior Villas	6	NC	S	16
12368	Heritage Plaza	6	NC	S	16
12370	Cypress Creek at Highway 6	6	NC	NC	0
12371	Mariposa at Ranch Road 12	7	S	S	16
12372	Mariposa at Woodbridge	3	NC	O	0
12379	Sunrise Terrace	11	S	NC	16
12382	Stevenson Ranch	3	NC	S	16
12383	Clear Springs	6	NC	NC	0
12388	Paseo Pointe	11	S	S	16
12389	Riverstone Ranch	3	NC	NC	0
12393	Highland Villas	8	S	S	16
12395	Colonial Point Apartments	8	NC	S	16
12397	Cotton Wood II	11	S	S	16
12706	Starwood 105	6	NC	NC	0

* NC = No Comment Received or Neutral; S = Support Letter; O = Opposition Letter

QCP

This list reflects letters received by the Texas Department of Housing and Community Affairs (the "Department") for points under \$50.9(b)(2) of the 2012 Qualified Allocation Plan and Rules ("QAP"), Quantifiable Community Participation ("QCP"). The purpose of this list is to enable applicants and neighborhoods to review the list of letters that have been reviewed. ***Eligibility is NOT final but based on initial reviews.** This list is sorted numerically by the name of the Development Number of the Application. If you have questions, please contact Jean Latsha, Competitive Tax Credit Program Manager, at <mailto:jean.latsha@tdhca.state.tx.us> so that the issue can be researched and the list corrected if necessary. To the extent that corrections are made, a list will be posted at a later date that will assess final points for the QCP letters received. The posting of this list does not serve to trigger the 7 day timeframe for appeal.

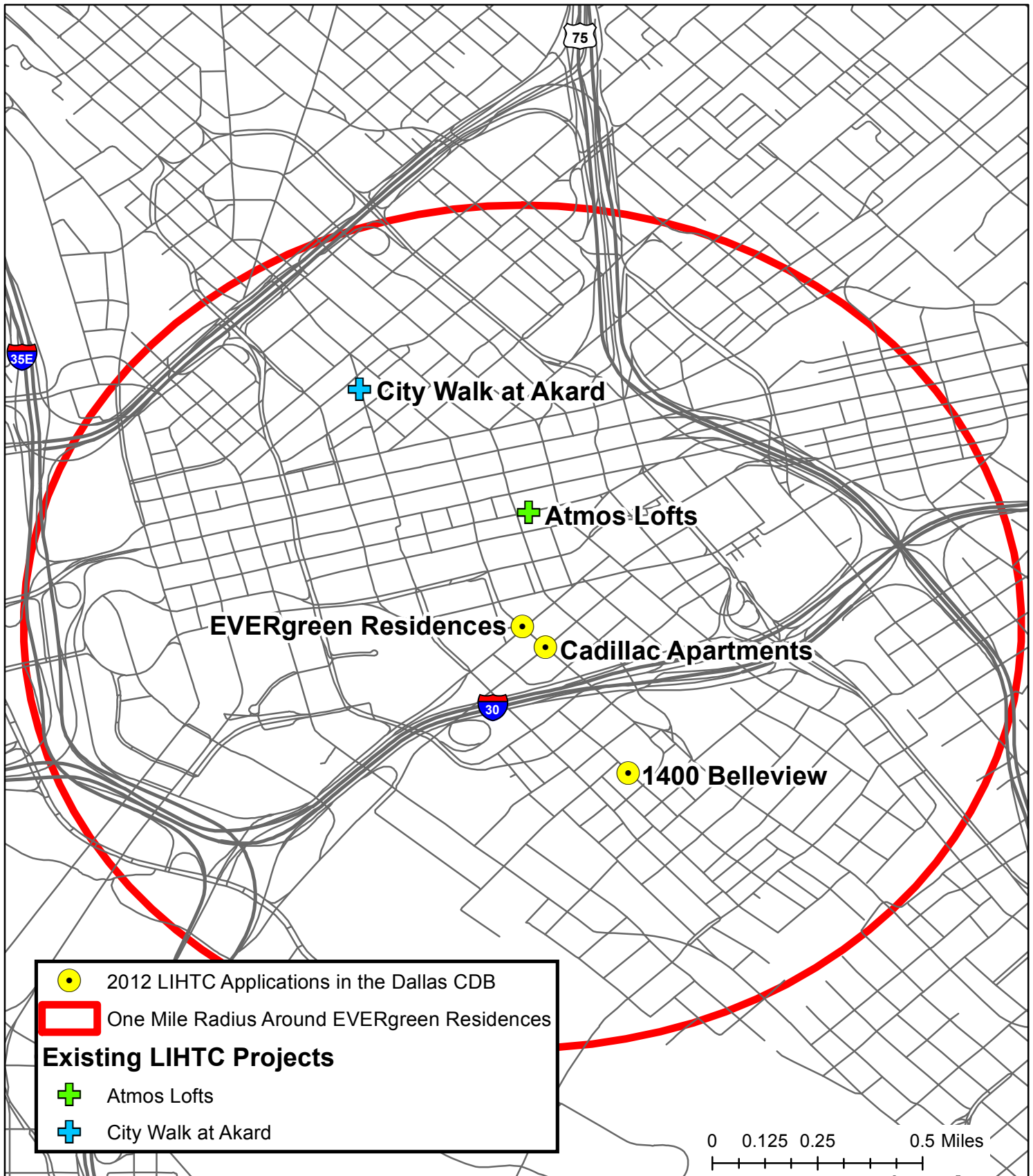
Application Number	Name of Organization Submitting Letter	Organization City	Support (S) or Opposition (O)	*Eligible(Y) or Ineligible(N)
12020	Greater Inwood Partnership	Houston	S	Y
12020	Near Northwest Community Improvement Corporation	Houston	S	N
12022	Strand - UTMB Corridor Neighborhood Association	Galveston	O	Y
12022	Galveston Alliance of Island Neighborhoods	Galveston	O	Y
12022	East End Historical District Association	Galveston	O	N
12025	White Settlement Sun View HOA	White Settlement	S	N
12025	Willow Wood Homeowners Association	Ft Worth	O	N
12042	The Manor Neighbor Watch Committee	West Columbia	S	Y
12045	Buffalo Apartments Tenant Council	Leon	S	Y
12048	Taft Gardens Resident Council	Taft	S	N
12062	Downtown Resident Council	Dallas	S	Y
12062	Farmers Market Stakeholders Association	Dallas	O	N
12062	2100 Downtown	Dallas	O	N
12066	Brook Oaks Neighborhood Association	Waco	S	Y
12080	Pear Orchard Neighborhood Association	Beaumont	S	Y
12083	Residents of the Wyatt	Ft Worth	O	N
12083	South Harmon Neighborhood Association	Ft Worth	S	Y
12098	Cedars Neighborhood Association	Dallas	S	Y
12100	Pinewood Park Tenant Association	Lufkin	S	Y
12105	New Haven Resident Association	Athens	S	Y
12109	East 1488 Community Association of Montgomery County	Magnolia	O	Y
12112	Inez Tims Village Resident's Council	Lufkin	S	Y
12152	Montwood Heights Resident Association	El Paso	S	Y
12152	Las Tierras Neighborhood Association	El Paso	S	Y
12153	Eastside Civic Association	El Paso	S	N
12159	Bertrand Neighborhood Association	Dallas	S	Y
12168	Waverly Athens Neighborhood Association	Athens	S	Y
12170	Fairfield Place Property Owners Association	Cypress	S	N
12170	Fairfield Village Community Association	Cypress	S	Y
12174	South East Neighborhood Organization	Mineral Wells	S	Y
12182	Downtown Resident Council	Dallas	S	Y
12182	Farmers Market Stakeholders Association	Dallas	S	Y
12182	2100 Downtown	Dallas	O	N
12192	Super Neighborhood 61 - Downtown	Houston	S	Y
12197	Barkers Landing Homeowners Association	Houston	O	N
12197	Terraces on Memorial Homeowners Association	Houston	S	N
12197	Eldridge/West Oaks Super Neighborhood Council	Houston	O	Y
12210	Park Hudson Property Owner's Association	Bryan	S	Y
12212	Mirabal Development Property Owners Association	Corpus Christi	S	Y
12221	Samuell Park Farms Homeowners' Organization	Sunnyvale	O	N
12239	West Gate Area Association	Austin	S	Y

Copy of 12-QuantCommParticipationLog.xlsx
QCP

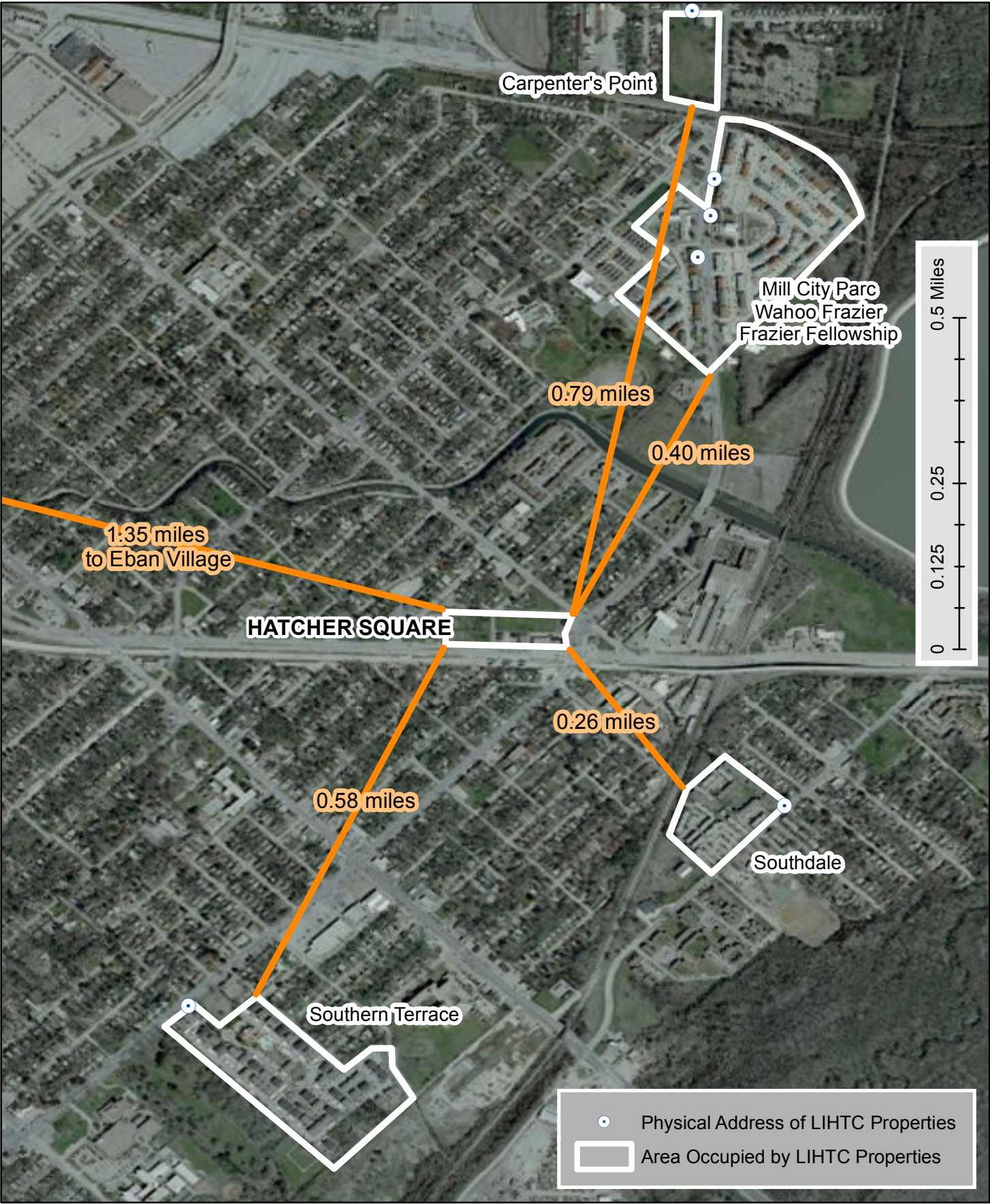
This list reflects letters received by the Texas Department of Housing and Community Affairs (the "Department") for points under §50.9(b)(2) of the 2012 Qualified Allocation Plan and Rules ("QAP"), Quantifiable Community Participation ("QCP"). The purpose of this list is to enable applicants and neighborhoods to review the list of letters that have been reviewed. ***Eligibility is NOT final but based on initial reviews.** This list is sorted numerically by the name of the Development Number of the Application. If you have questions, please contact Jean Latsha, Competitive Tax Credit Program Manager, at <mailto:jean.latsha@tdhca.state.tx.us> so that the issue can be researched and the list corrected if necessary. To the extent that corrections are made, a list will be posted at a later date that will assess final points for the QCP letters received. The posting of this list does not serve to trigger the 7 day timeframe for appeal.

Application Number	Name of Organization Submitting Letter	Organization City	Support (S) or Opposition (O)	*Eligible(Y) or Ineligible(N)
12248	Lexington Manor Resident Council	Corpus Christi	S	Y
12249	Grand Manor Resident Council	Tyler	S	Y
12252	Super Neighborhood 48	Houston	S	Y
12254	Leopard Street Corridor Association	Corpus Christi	S	Y
12264	LULAC Hacienda Apartments Residents Association	Corpus Christi	S	Y
12267	Vermillion Road Neighborhood Association	Brownsville	S	Y
12271	Northbrook Neighborhood Association	Ft Worth	S	Y
12288	Main Street Development and Preservation Board	Cedar Hill	S	N
12289	Shannon Creek Homeowners Association	Burleson	O	N
12289	Mountain Valley Heights	Burleson	O	N
12289	The Vinewood Addition	Burleson	O	N
12289	Wakefield Homeowners Association	Burleson	O	N
12290	Iola Avenue Property Owners Association	Lubbock	S	Y
12300	Downtown Austin Alliance	Austin	S	N
12300	Downtown Austin Neighborhood Association	Austin	S	Y
12310	North End Neighborhood Association	Bay City	S	Y
12317	Rutherford Neighborhood Watch Committee	Mesquite	S	Y
12323	Highway 259 Property Owners Association	Kilgore	S	Y
12326	Ennis Senior Property Owners Association	Ennis	S	Y
12327	West Park Property Owners Association	Corsicana	S	Y
12328	West Park Property Owners Association	Corsicana	S	Y
12329	South Royall Property Owners Association	Palestine	S	Y
12367	Northwest Super Neighborhood Council	Houston	S	Y
12372	Woodbridge Association	Wylie	S	Y
12379	Tax Increment Reinvestment Zone 1 POA	La Feria	S	Y
12393	Briarcrest Ridge Property Owners Association	Bryan	S	Y

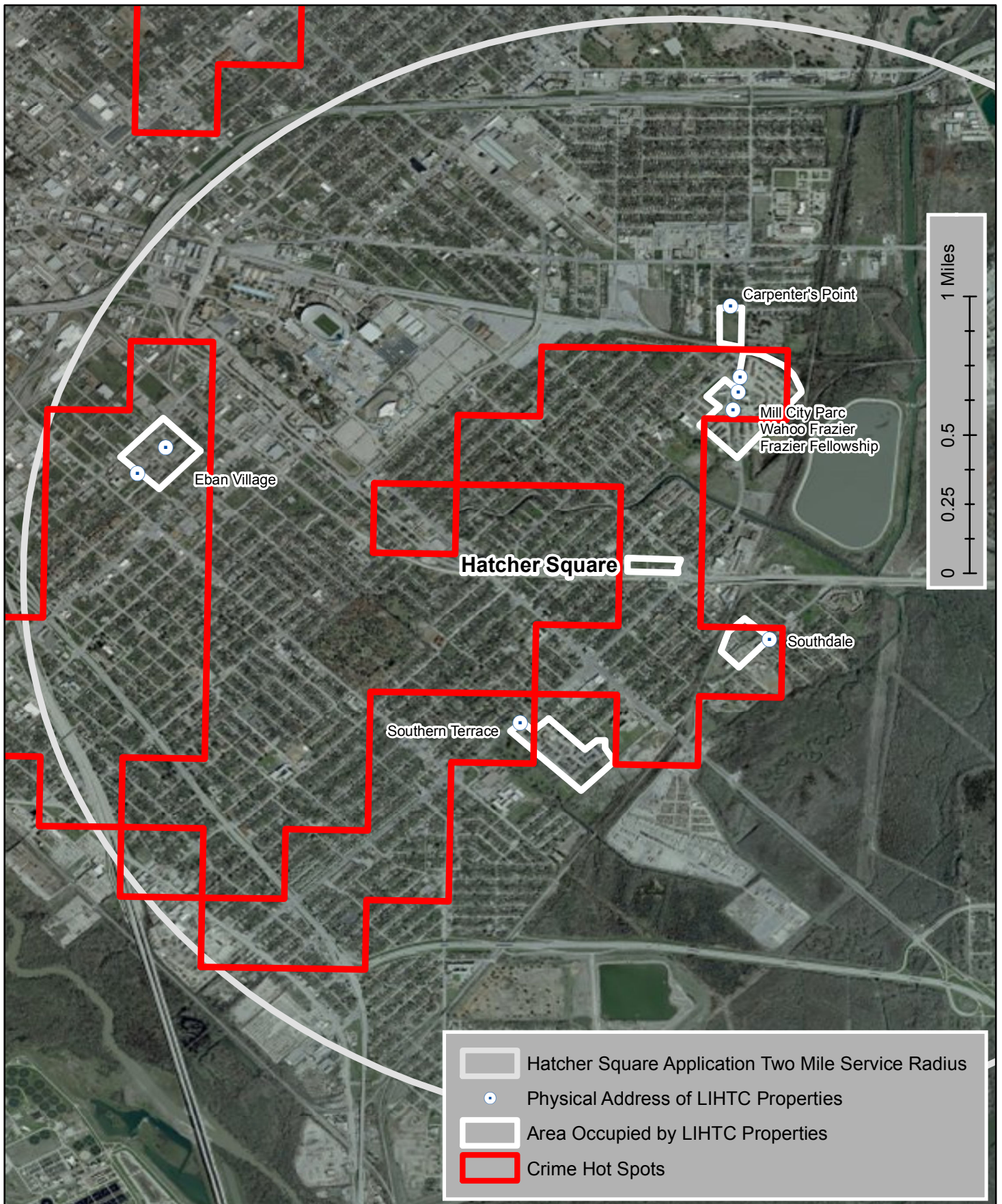
Existing LIHTC Projects and 2012 LIHTC Applications in the Dallas Central Business District



Distance From Hatcher Square to Surrounding LIHTC Properties



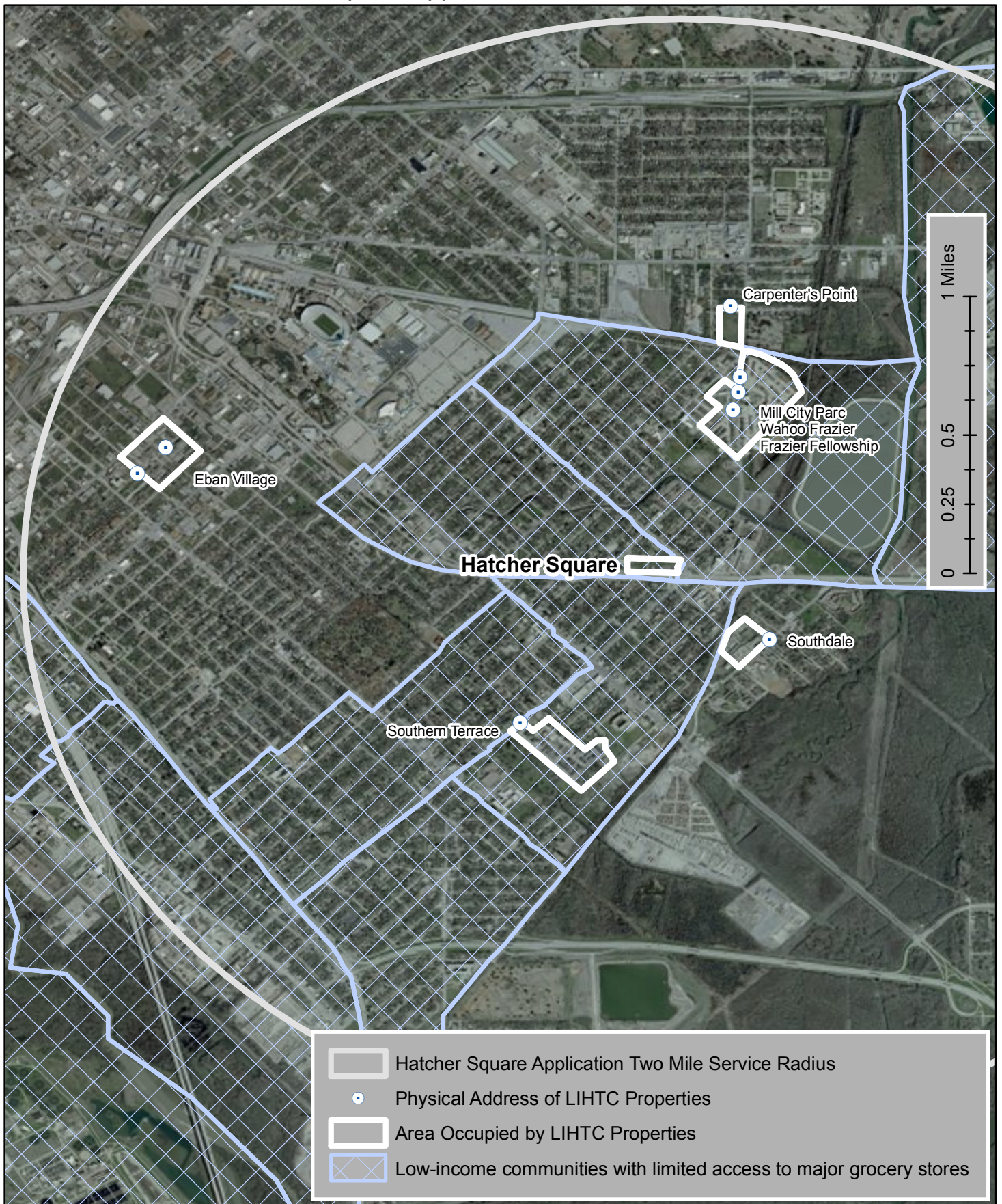
Crime Hot Spots in Hatcher Square Application Two Mile Service Radius



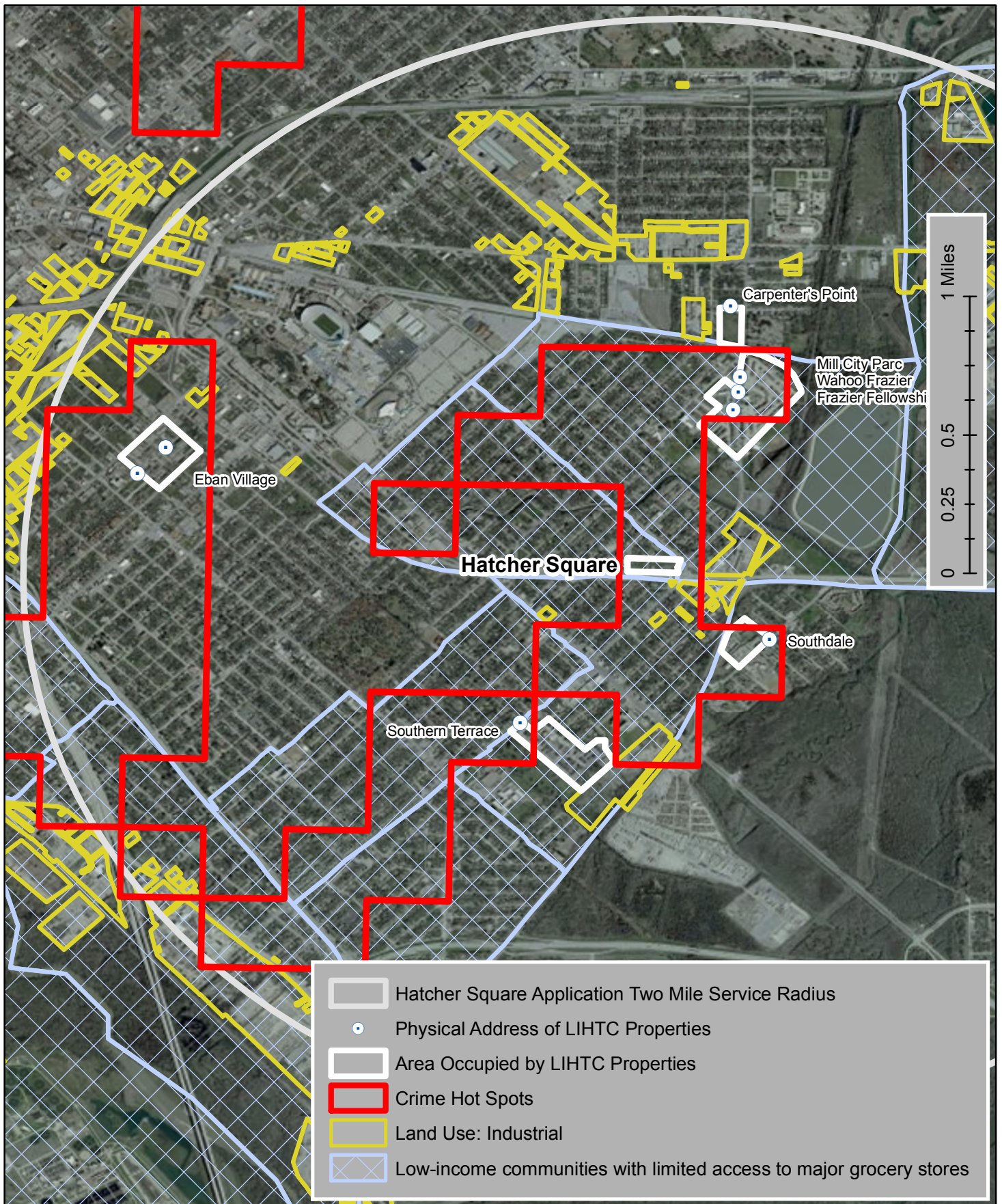
Industrial Land Use in Hatcher Square Application Two Mile Service Radius



Low Income Communities with Limited Access to Major Grocery Stores in Hatcher Square Application Two Mile Service Radius



Neighborhood Conditions in Hatcher Square Application Two Mile Service Radius






2000 Census Tracts in Hatcher Square Application Two Mile Service Radius



-  Hatcher Square Application Two Mile Service Radius
-  Physical Address of LIHTC Properties
-  Area Occupied by LIHTC Properties
-  2000 Census Tracts

2000 Census Tracts in Hatcher Square Application Two Mile Service Radius



-  Hatcher Square Application Two Mile Service Radius
-  Physical Address of LIHTC Properties
-  Area Occupied by LIHTC Properties
-  2010 Census Tracts

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

The Inclusive Communities Project, Inc., *
Plaintiff, *
v. *

The Texas Department of *
Housing and Community Affairs, and *
Michael Gerber, *
Leslie Bingham-Escareño, *
Tomas Cardenas, *
C. Kent Conine, *
Dionicio Vidal (Sonny) Flores, *
Juan Sanchez Muñoz, and *
Gloria L. Ray in their official capacities, *
Defendants. *

Civil Action No. 3:08-CV-00546-D

DECLARATION OF KATHERINE LOPEZ

My name is Katherine Lopez and I am over the age of eighteen. I am employed as a researcher at Daniel & Beshara, P.C. I obtained the information and made the spreadsheet charts that are in this Appendix at Tab 8, Appendix pages 39 to 41.

Document: LIHTC Properties within 2 mile radius of Hatcher Square (Appendix Pages 39 - 40):

When creating the chart for the LIHTC properties within a 2 mile radius of Hatcher Square I started by downloading the application for Hatcher Square from TDHCA's website: <http://www1.tdhca.state.tx.us/htc/2011apps/11098.pdf> I then had the property mapped by Abigail Self in our GIS mapping software to locate the developments within the 2 mile radius of Hatcher Square's location. We found that there are 8 LIHTC properties within 2 miles of the proposed development. I then got the census tract of each of these 8 tax credit properties and the

information regarding each development (year awarded, address, total units, total LIHTC units, LIHTC awarded amount) from TDHCA's Property Inventory (ICP EX 5).

I downloaded all of the 2010 Census information (Census Tract, Population, Percent below Poverty, Unemployment, % White not Hispanic, % Black not Hispanic) from the U.S. Census Bureau's website American FactFinder

<http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml> for the census tracts of these eight tax credit properties. This information can be found in the following reports for each census tract: SF1_P1, ACS_10_5YR_S2301, ACS_10_5YR_S1701, SF1_P9, SF1_DP3, SF3_DP3, SF1_DP1. The 2000 census information for race and poverty come directly from ICP exhibit 599.

Census Tract 35 from 2000 has since changed to Census Tract 203 (for 2010) so this information is paired in the analysis of both of the Eban Village Apartments.

The measurements of straight line distance by Abigail Self (point to point) from Hatcher Square's proposed location were mapped using GIS software. Each property was mapped and the closest two points from each individual property in the 2 mile radius to the proposed Hatcher Square location was measured. This information was then confirmed with Google Earth maps.

Using ICP EX 5, I then calculated the accumulating Total LIHTC units in the 2 mile radius of Hatcher Square in ascending order of the year each property was awarded. The same running total was calculated for the total LIHTC dollars awarded in the 2 mile radius for each time a development was awarded.

This data was analyzed by the change in number or percent for each data set by Census Tract from the 2000 Census data and the 2010 Census data. The difference from each year was

calculated by subtracting 2010 data from the 2000 census data. The final step taken was to calculate the percent change for each data set from 2000 to 2010 for each Census Tract containing a LIHTC development within the 2 mile radius of the proposed Hatcher Square Location.

Document: Analysis of Census Tracts within the 2 mile Radius of Hatcher Square

(Appendix Page 41):

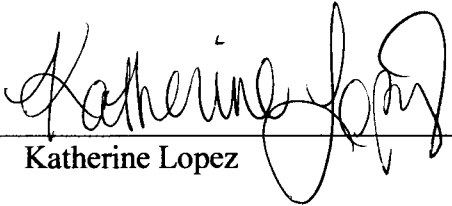
The first step with this analysis was to for Abigail Self to map the 2 mile Radius to determine the Census Tracts within the range. I downloaded all of the 2010 Census information (Census Tract, Population, Percent below Poverty, Unemployment, % White not Hispanic, % Black not Hispanic) from the U.S. Census Bureau's website American FactFinder <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml> for all of the census tracts in the 2 mile radius. The data for the entire tract is used. This information can be found in the following reports for each census tract: SF1_P1, ACS_10_5YR_S2301, ACS_10_5YR_S1701, SF1_P9, SF1_DP3, SF3_DP3, SF1_DP1. The 2000 census information for race and poverty come directly from ICP exhibit 599.

Census Tracts 29 and 35 from 2000 are now combined into one tract, CT 203 for the 2010 Census. In order to evaluate them together and separately there is an additional chart included to show these merged into one analysis.

The calculations done on this chart are the total population in the census tracts in the 2 mile radius for each Census year as well as the averages of all of the percentages of unemployment, poverty and population by race breakdowns.

I checked my work. The tables are an accurate summary of the voluminous data contained in the original source government reports.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 21, 2012.


Katherine Lopez

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LIHTC Properties within 2 mile radius of Hatcher Square

Year Awarded	Program Type	Development	Address	Total Units	Total LIHTC Units	Total LIHTC units in 2 mile Radius at this point	LIHTC amount awarded	Total awarded in 2 mile radius at this point
1992	9% HTC	Southdale Apartments	3727 Dixon Ave	188	188	188	\$ 175,356.00	\$ 175,356.00
							Straight line distance (point to point) from Hatcher Square: .26 mi.	
Census Year	Census Tract	Population	Percent below Poverty	Unemployment	% White Not Hispanic	% Black Not Hispanic		
2000	115	4956	62.2%	11.4%	0.0%	69.8%		
2010	115	3185	61.6%	15.6%	0.9%	30.9%		
Difference: 2000 to 2010		-1771	-0.6%	4.2%	0.9%	-38.9%		
Percent Change		-36%	-0.9%	36.8%	#DIV/0!	-55.7%		

Year Awarded	Program Type	Development	Address	Total Units	Total LIHTC Units	Total LIHTC units in 2 mile Radius at this point	LIHTC amount awarded	Total awarded in 2 mile radius at this point
1995	9% HTC	Eban Village Apartments	2710 Jefferies St.	110	110	298	\$ 372,412.00	\$ 547,768.00
1999	9% HTC	Eban Village Apartments	3023 Park Row Ave	220	165	463	\$ 830,897.00	\$ 1,378,665.00
							Straight line distance (point to point) from Hatcher Square: 1.35 mi.	
Census Year	Census Tract	Population	Percent below Poverty	Unemployment	% White Not Hispanic	% Black Not Hispanic		
2000	35	1983	38.4%	6.1%	2.5%	93.5%		
2010	203 (2010 ct)	2568	51.9%	20.4%	5.9%	86.9%		
Difference: 2000 to 2010		585	13.5%	14.3%	3.4%	-6.6%		
Percent Change		30%	35.1%	234.4%	135.1%	-7.0%		

Census Year	Census Tract	Population	Percent below Poverty	Unemployment	% White Not Hispanic	% Black Not Hispanic		
2000	39.01	1774	43.2%	9.3%	1.9%	89.6%		
Year Awarded	Program Type	Development	Address	Total Units	Total LIHTC Units	Total LIHTC units in 2 mile Radius at this point	LIHTC amount awarded	Total awarded in 2 mile radius at this point
2003	4% HTC	Southern Terrace Apartments	4701 Meadow St.	264	264	727	\$ 1,043,740.00	\$ 2,422,405.00
							Straight line distance (point to point) from Hatcher Square: .58 mi.	
Census Year	Census Tract	Population	Percent below Poverty	Unemployment	% White Not Hispanic	% Black Not Hispanic		
2010	39.01	1724	47.2%	38.1%	0.9%	92.5%		
Difference: 2000 to 2010		-50	4.0%	28.8%	-1.0%	2.9%		
Percent Change		-3%	9%	76%	-53%	3%		

LIHTC Properties within 2 mile radius of Hatcher Square

Census Year	Census Tract	Population	Percent below Poverty	Unemployment	% White Not Hispanic	% Black Not Hispanic		
2000	27.01	4066	53.8%	11.6%	0.7%	94.1%		
Year Awarded	Program Type	Development	Address	Total Units	Total LIHTC Units	Total LIHTC units in 2 mile Radius at this point	LIHTC amount awarded	Total awarded in 2 mile radius at this point
2004	9% HTC	Frazier Fellowship	4700-4900 Hatcher St.	76	60	787	\$ 581,022.00	\$ 3,003,427.00
2005	9% HTC	Wahoo Frazier Townhomes	East side of blocks 4700-4900 Hatcher St.	118	95	882	\$ 925,960.00	\$ 3,929,387.00
2006	4% HTC	Mill City Parc Apartments	4848 Hatcher Street	116	116	998	\$ 530,000.00	\$ 4,459,387.00
Census Year	Census Tract	Population	Percent below Poverty	Unemployment	% White Not Hispanic	% Black Not Hispanic	Straight line distance (point to point) from Hatcher Square: .4 mi.	
2010	27.01	3033	71.1%	23.3%	0.7%	89.1%		
Difference: 2000 to 2010		-1033	17.3%	11.7%	0.0%	-5.0%		
Percent Change		-25%	32.2%	100.9%	-1.4%	-5.3%		

Census Year	Census Tract	Population	Percent below Poverty	Unemployment	% White Not Hispanic	% Black Not Hispanic		
2000	25	5790	32.5%	7.6%	3.0%	40.8%		
Year Awarded	Program Type	Development	Address	Total Units	Total LIHTC Units	Total LIHTC units in 2 mile Radius at this point	LIHTC amount awarded	Total awarded in 2 mile radius at this point
2008	9% HTC	Carpenter's Point	3326 Mingo St.	150	150	1148	\$ 1,200,000.00	\$ 5,659,387.00
Census Year	Census Tract	Population	Percent below Poverty	Unemployment	% White Not Hispanic	% Black Not Hispanic	Straight line distance (point to point) from Hatcher Square: .79 mi.	
2010	25	5308	26.0%	11.1%	3.4%	26.1%		
Difference: 2000 to 2010		-482	-6.5%	3.5%	0.4%	-14.7%		
Percent Change		-8%	-20.0%	46.1%	13.0%	-36.0%		

Census Year	Census Tract	Population	Percent below Poverty	Unemployment	% White Not Hispanic	% Black Not Hispanic		
2000	27.02	1874	37.4%	10.0%	4.6%	94.1%		
2010	27.02	1559	35.8%	21.3%	1.2%	87.4%		
Difference 2000 to 2010		-315	-1.6%	11.3%	-3.4%	-6.7%		
Percent Change		-17%	-4%	113%	-74%	-7%		
Year Awarded	Program Type	Development	Address	Total Units	Total LIHTC Units	Total LIHTC units in 2 mile Radius (if awarded)	LIHTC amount awarded	Total awarded in 2 mile radius previous to this application
N/A	9% HTC	Hatcher Square	NW corner of Scyene Road and Hatcher Blvd.	136	136	1284	N/A	\$ 5,659,387.00

Analysis of Census Tracts within the 2 mile Radius of Hatcher Square

Census Tract	Total Population 2010	Total Population 2000	% change in population	2010 Unemployment	2000 Unemployment	2010 Poverty	2000 Poverty	2010 % white NH	2000 % white NH	2010 % Black	2000 % Black
27.01	3033	4066	-25.4%	23.30%	11.60%	71.10%	53.81%	0.7%	0.71%	89.1%	94.10%
27.02	1559	1874	-16.8%	21.30%	10.00%	35.80%	37.45%	1.2%	4.64%	87.4%	94.05%
37	3048	3565	-14.5%	13.20%	10.20%	33.90%	30.01%	1.3%	0.59%	90.1%	95.24%
39.01	1724	1763	-2.2%	38.10%	9.30%	47.20%	43.18%	0.9%	1.92%	92.5%	89.63%
25	5308	5790	-8.3%	11.10%	7.60%	26.00%	32.55%	3.4%	3.01%	26.1%	40.76%
29*	N/A	951	N/A	N/A	3.20%	N/A	43.71%	N/A	15.61%	N/A	78.55%
35*	N/A	1983	N/A	N/A	6.10%	N/A	38.41%	N/A	2.51%	N/A	93.45%
203*	2568	N/A	N/A	20.40%	N/A	51.90%	N/A	5.9%	N/A	86.9%	N/A
34	1146	1407	-18.6%	21.80%	9.60%	45.30%	44.44%	12.2%	14.50%	71.7%	44.44%
38	1956	2758	-29.1%	22.60%	9.40%	34.90%	36.22%	0.9%	0.29%	93.6%	95.17%
39.02	1860	2099	-11.4%	24.40%	13.30%	38.30%	43.83%	1.2%	0.00%	73.3%	88.08%
40	1082	1496	-27.7%	1.00%	15.10%	27.00%	39.64%	0.6%	1.63%	86.9%	89.23%
84	9859	9799	0.6%	7.90%	4.40%	28.80%	20.17%	10.7%	19.96%	5.3%	7.05%
115	3185	4956	-35.7%	15.60%	11.40%	61.60%	62.19%	0.9%	0.00%	30.9%	69.81%
TOTAL:	36328	42507	-14.5%								
Average:				18.39%	9.32%	41.82%	40.43%	3.34%	5.03%	69.48%	75.35%

*35 & 29 combined for 2000 replaced with 203 for 2010	2568	2934	-12.5%	20.40%	4.65%	51.90%	41.06%	5.9%	9.06%	86.9%	86.00%
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Volume 2, Tab 1, Part C
Radius Map

Hatcher Square - 2 mile radius map



Volume 2, Tab 1, Part C
Retail Centers

A. Hope Restoration Inc

3907 Bertrand Ave, Dallas, TX -
(214) 421-8300

B. Moonlite Market

4632 Scyene Road, Dallas, TX -
(214) 421-9710

C. Blaine's Motor Supply Inc

4700 Scyene Road, Dallas, TX -
(214) 426-4400

D. 2nd Avenue Thrift Store

4640 South 2nd Ave, Dallas, TX -
(214) 428-3156

E. Second Avenue Pawn Shop

4727 South 2nd Ave, Dallas, TX -
(214) 428-6170

F. Diamond J Grocery Beer & Wine

3022 Lagow Street, Dallas, TX -
(214) 565-1707

G. Harold's Discount Tire Services

4700 South 2nd Ave, Dallas, TX -
(214) 421-2099

H. Triple B Hardware

3623 Copeland St., Dallas, TX -
(214) 421-4935

I. John's Used Furniture

4502 South 2nd Ave, Dallas, TX -
(214) 421-5624

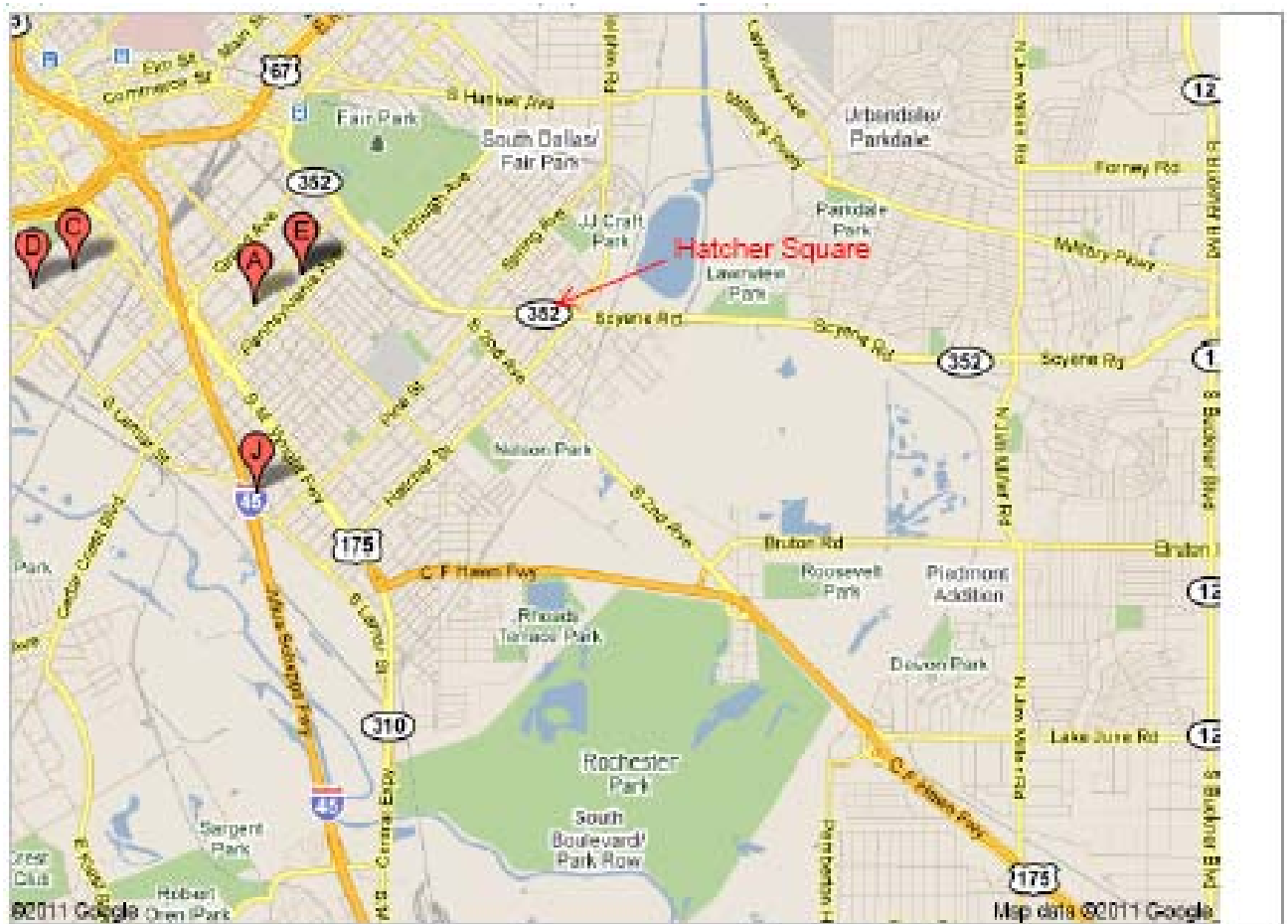
J. Cladrite

4828 Racell Street, Dallas, TX -
(214) 928-9930



Volume 2, Tab 1, Part C
Large Scale Employment Centers

- | | |
|---|---|
| <p>A. All Temps 1 Personnel
2606 Martin Luther King # 207, Dallas, TX -
(214) 426-0091</p> <p>C. Pacesetter Personnel Services
1818 South Ervay Street, Dallas, TX -
(214) 651-0202</p> <p>E. City of Dallas: Employment Center
2922 Martin Luther King Jr Bl, Dallas, TX -
(214) 670-5955
1 review</p> <p>G. Ami Staffing Inc
415 South Carroll Avenue, Dallas, TX</p> <p>I. Greet America Public Record
8035 E R L Thornton Fwy # 410, Dallas, TX -
(214) 320-9836</p> | <p>B. Kelly Services
3801 Gaston Ave # 230, Dallas, TX -
(214) 370-3823</p> <p>D. Able Body Labor
1712 South Akard Street, Dallas, TX -
(214) 428-4372
1 review</p> <p>F. Staff Force Inc
8344 E R L Thornton Fwy # 202, Dallas, TX -
(214) 328-8039</p> <p>H. Workforce Solutions
2922 Martin L King Jr Bl # 104, Dallas, TX -
(214) 421-2460</p> <p>J. Eyes On Employment
1622 Mcdonald Drive, Dallas, TX -
(214) 741-3937</p> |
|---|---|



COMMUNITY REVITALIZATION or HISTORIC PRESERVATION (§49.9(a)(13))

The Application proposes:

- ☐ **Community Revitalization**- the Development includes the use of an Existing Residential Development and proposes any Rehabilitation or any Reconstruction that is part of a Community Revitalization Plan. (§42(m)(1)(C)(iii))

Evidence to be provided to satisfy this requirement:

- ☐ *Volume 2, Tab 1, Part B- 2011 Existing Residential Development Certification Form* is present in Volume 2, and is fully executed.

AND

- ☐ A letter from the Appropriate Local Official stating there is a Community Revitalization Plan in effect and the Development is within the area covered by the plan.

If the Applicant is unable to obtain a letter from an Appropriate Local Official, then the following must be provided:

- ☐ If the Community Revitalization Plan has specific boundaries, a copy of the Plan adopted by the jurisdiction or its designee and a map showing that the Development is within the area covered by the Community Revitalization Plan.

- ☐ **Historic Preservation** - The Development includes the use of an existing building that is designated as historic by a federal or state Entity and proposes Rehabilitation (including Reconstruction) or Adaptive Reuse.

Evidence to be provided includes:

- ☐ The Development **includes*** the use of an existing building that is designated as historic by a federal or state entity and proposes Rehabilitation (including reconstruction) or Adaptive Reuse.
- ☐ Proof of the historic designation from the appropriate Governmental Body is included.
- ☐ Letter from the Texas Historical Commission indicating the effect of the proposed rehabilitation on historical structure is included.

***The Development itself must have the designation; points in this subparagraph are not available for Developments simply located within historic districts or areas that do not have a designation on the building. The Development must include the historic building.**

- ☐ **Rehabilitation** - Application proposes to build solely Rehabilitation.
- ☐ **Reconstruction** - Application proposes to build solely Reconstruction.
- ☐ **Adaptive Reuse** - Application proposes to build solely Adaptive Reuse.

- ☒ **New Construction** - the Development is New Construction and is proposed to be located in an area that is part of a Community Revitalization Plan.

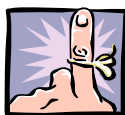
Evidence to be provided includes one of the following:

Evidence to be provided to satisfy this requirement:

- ☒ A letter from the Appropriate Local Official stating there is a Community Revitalization Plan in effect and the Development is within the area covered by the plan.

If the Applicant is unable to obtain a letter from an Appropriate Local Official, then the following must be provided:

- ☐ If the Community Revitalization Plan has specific boundaries, a copy of the Plan adopted by the jurisdiction or its designee and a map showing that the Development is within the area covered by the Community Revitalization Plan.



REMEMBER TO PLACE YOUR EVIDENCE BEHIND THIS FORM



January 20, 2011

Michael Gerber
Executive Director
Texas Department of Housing and Community Affairs
P.O. Box 13941
Austin, TX 78711-3941

Re: Hatcher Square - Scyene Road/Hatcher Boulevard

Dear Mr. Gerber:

It is our understanding that Hatcher Square at Scyene Road and Hatcher Boulevard, Dallas, Texas 75210 is considering a possible submission of an application with the Texas Department of Housing and Community Affairs for tax credit consideration.

The property is located within Census Tract 27.02, Block Group 3 which is a low-moderate income census tract as defined by the Department of Housing and Urban Development and the U.S. Census. The provision of affordable housing is a priority for the City of Dallas and this priority has been adopted in the City's Consolidated Plan which acts as the Community Revitalization Plan.

Please feel free to contact me at (214) 670-3619 should you have any questions or need more information.

Sincerely,


FCI Bernadette M. Mitchell,
Assistant Director
Housing/Community Services Department

QUALIFIED CENSUS TRACTS with COMMUNITY REVITALIZATION PLAN (§49.9(a)(24))

Applications may qualify to receive 1 point for this item if the Development is located within a Qualified Census Tract and contributes to a concerted Community Revitalization Plan

11-Digit Census Tract Number: 48113002702

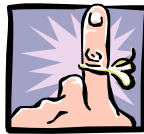
Is this a Qualified Census Tract? Yes (confirm using list of *2011 Qualified Census Tracts* in the Reference Manual)

Evidence to be provided includes one of the following:

☒ A letter from the Appropriate Local Official stating there is a Community Revitalization Plan in effect and the Development is within the area covered by the plan.

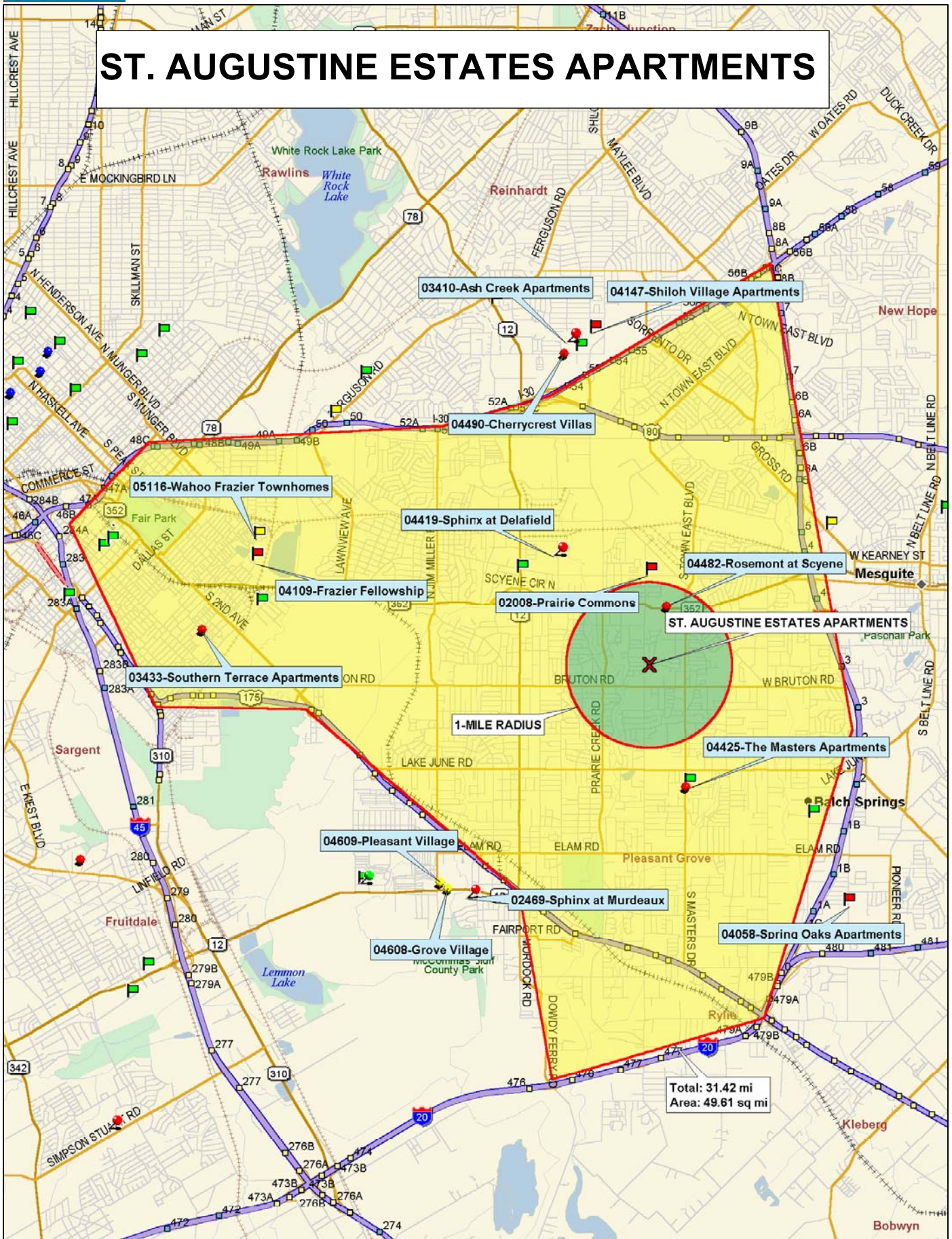
OR

☐ If the Community Revitalization Plan has specific boundaries, a copy of the Plan adopted by the jurisdiction or its designee and a map showing that the Development is within the area covered by the Community Revitalization Plan.

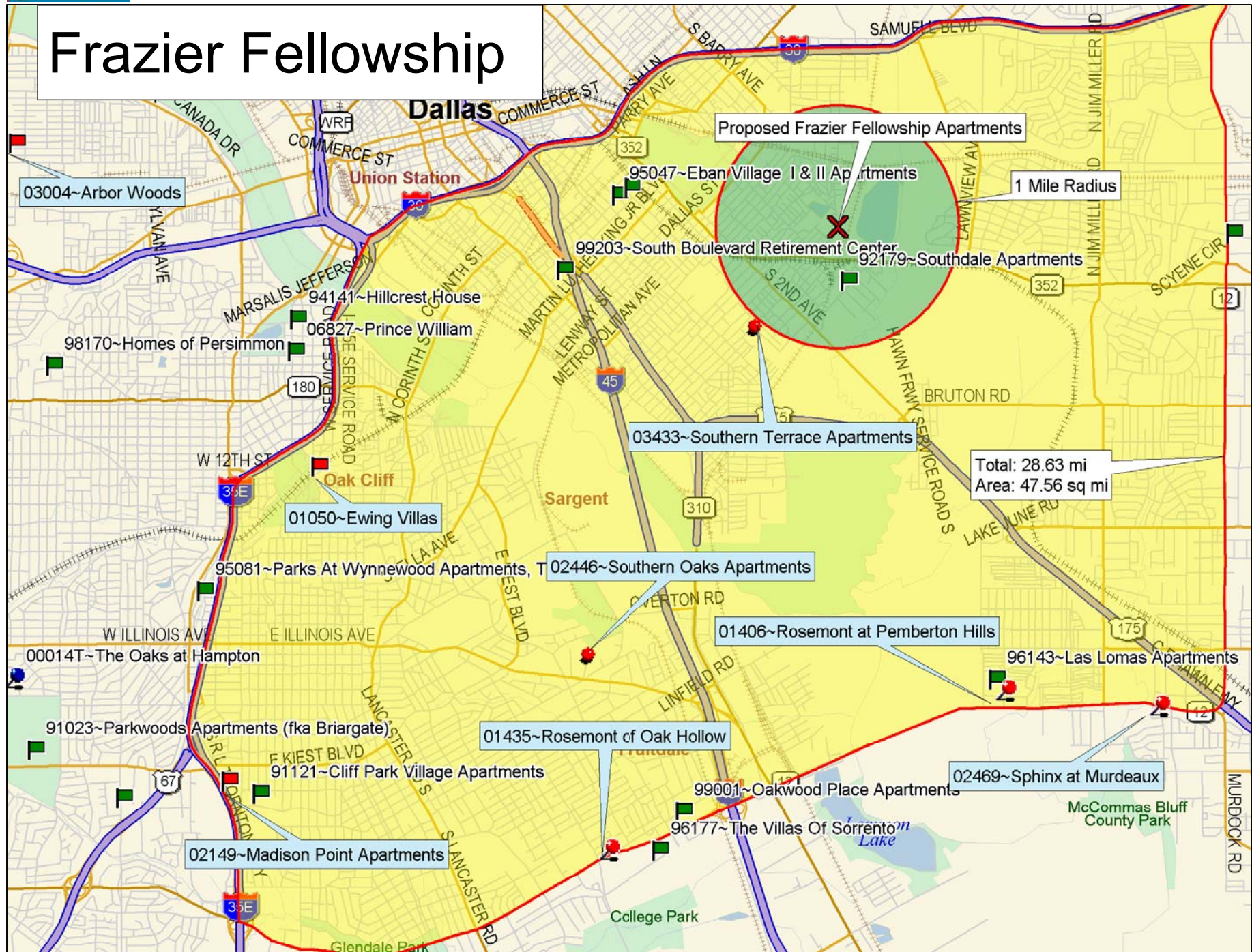


REMEMBER TO SUBMIT YOUR EVIDENCE BEHIND THIS FORM

ST. AUGUSTINE ESTATES APARTMENTS

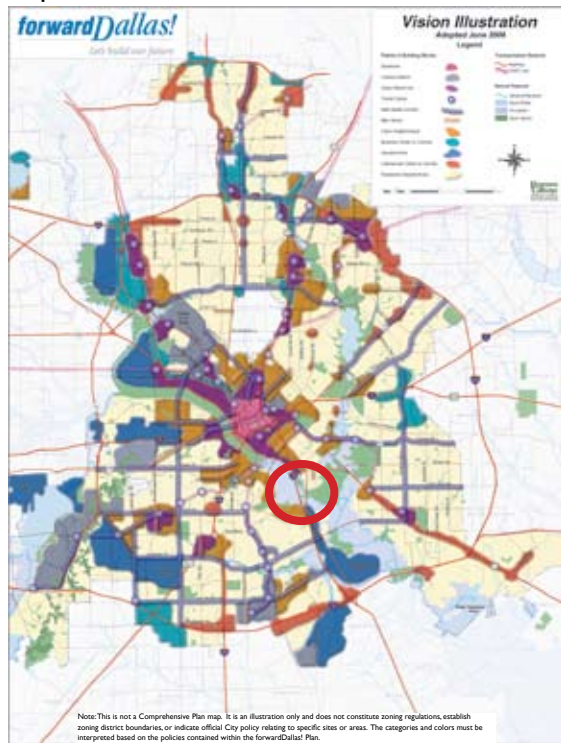


Frazier Fellowship



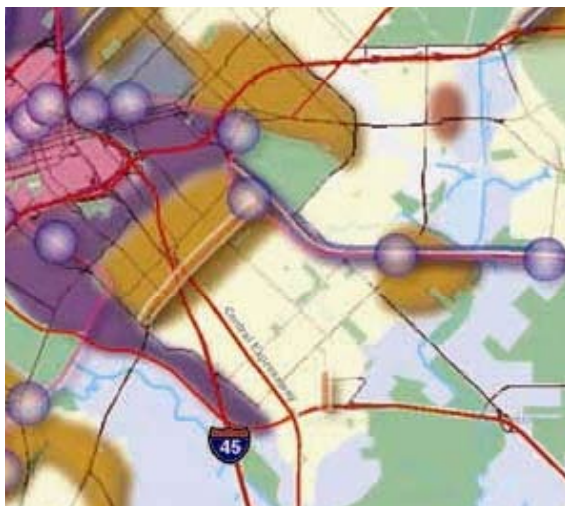


Map III-2.6 Vision Illustration



South Dallas/Fair Park is circled above on the forwardDallas! Vision map.

Map III-2.7 Inset View of South Dallas/Fair Park



Inset view of the forwardDallas! Vision for South Dallas/Fair Park.

SOUTH DALLAS/FAIR PARK NEIGHBORHOOD

History

An example of an area that has experienced a number of successful neighborhood planning efforts is the South Dallas/Fair Park neighborhood. This neighborhood, located adjacent to Fair Park, has a rich history of proactive involvement in planning for its future. From developing the South Dallas/Fair Park Neighborhood Preservation and Economic Development Plan in 1987 to adoption of the South Dallas/Fair Park Planned Development District in 2001, this neighborhood has been forthright with articulating its desires.

Planning and Investment

There are a number of public investments that are anticipated in the South Dallas/Fair Park neighborhood. DART plans to build the Southeast Corridor light rail line with three stations in the neighborhood. Dallas Housing Authority is redeveloping two housing projects and planning for improvements in the surrounding areas. The Trinity Parkway is proposed to connect with C.F. Hawn Freeway and provide improved access to the neighborhood. The City of Dallas' Neighborhood Investment Program (NIP) is focused on improving streetscape and development along Bexar Street. A number of other neighborhood roadways and parks are also slated for improvements. Despite this array of public investments and neighborhood initiatives, the South Dallas/Fair Park neighborhood continues to face challenges and has not seen as much redevelopment and revitalization as could be expected given the public investments and neighborhood initiatives in the area.

Other Activity

The area has many active neighborhood-based organizations and has seen numerous neighborhood initiatives led by organizations like Clean South Dallas and the Connectional Alliance. South Dallas also has a number of community development corporations (CDC) including South Fair, Inner City Development Corporation, Operation Relief Center, Saint Philip's and T.R. Hoover, among others, that have successfully completed single-family and multifamily residential developments that have helped bring stability to some of the most blighted parts of the neighborhood.

MAJOR PLANS

Map III-2.8 The Fair Park Comprehensive Plan



The Fair Park Comprehensive Plan is one of many plans that have been developed for the South Dallas area.

In addition to the major investments planned, there are three major planning initiatives in the area that will affect the neighborhood dramatically.

In October of 2003, the Fair Park Development Plan was adopted for the 277-acre Fair Park National Historic Landmark. The focus of this plan is to make Fair Park a year-round destination for tourists and Dallas residents. While it focuses on the Fair Park grounds, implementation of the Plan will positively affect the surrounding areas by providing an anchor for residential and retail stabilization and growth. Plans for gateway and other improvements will enhance the entire South Dallas/Fair Park Area.

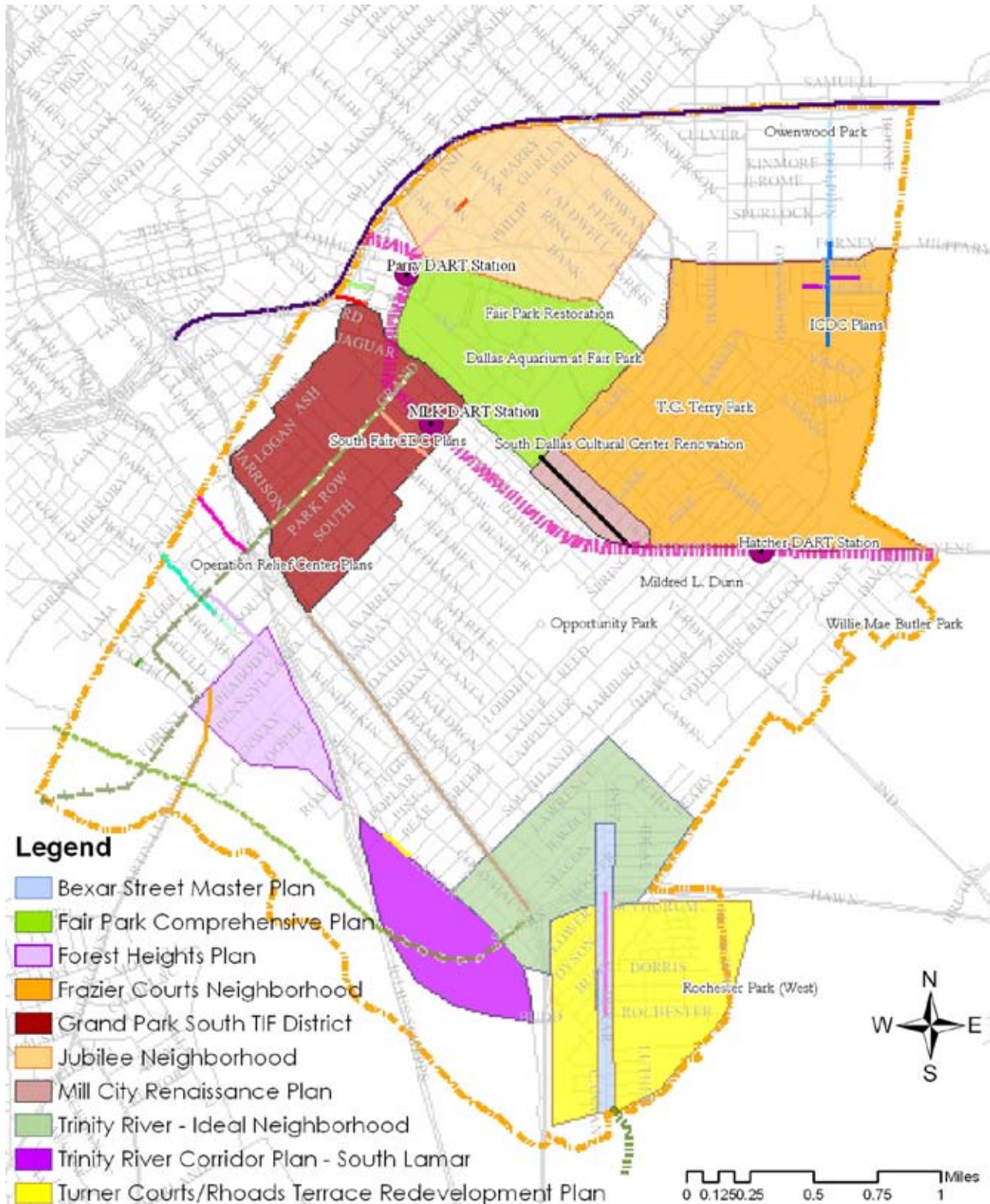
The Trinity River Corridor Plan was adopted in 2004 and is currently under implementation. There are several small Area Plans that affect this area, namely urban design plans for South Lamar, Rochester Park and the Ideal Neighborhood area. The implementation of these should coordinate public investment and stimulate the development and upgrading of these areas.

The DART Southeast Corridor extension will include three new stations in the South Dallas neighborhood. DART is initiating station Area Planning on this corridor and the intention is to identify and maximize redevelopment opportunities around the station areas, wherever compatible with City plans and neighborhood desires.

The Challenge

Clearly this area is one of the most active in terms of local initiatives and capital expenditures. In reviewing the amount of activity, it is clear that there is a great deal of planning and investment under way in South Dallas/Fair Park. Yet there is still a concern expressed by the local neighborhood groups about the overall direction of the area. The activities are not guided by a neighborhood vision or plan, and while the activity is welcome, some feel that the various projects lack a sense of coordination. Much of the concern of the neighborhood is for smaller, shorter term projects—redevelopment of local eyesores, attracting additional retail (such as a grocery store), and preservation of the neighborhood's identity in the face of the coming changes.

Map III-2.9 Summary of initiatives and plans in the South Dallas/Fair Park area



DEVELOPING A STRATEGIC VISION



More than 60 South Dallas residents participated in a workshop that helped form forwardDallas!. Such a strong turnout illustrates the commitment of area residents to the development of their community.

Workshop Process

As part of the development of forwardDallas! plan a workshop was held in the South Dallas/Fair Park neighborhood that was attended by more than 60 participants. At this workshop, stakeholders reported on the many public and private initiatives occurring in the neighborhood. Workshop participants also worked interactively in groups with maps showing existing conditions in the neighborhood and with game pieces depicting a variety of future development options. Using these tools participants were able to see the interrelationships between the various community initiatives and planned public investments and develop their vision for the future of the neighborhood. The results of the workshop are captured in maps and show the composite vision of the neighborhood based on the maps developed by each of the groups that participated in the workshop.

Workshop Findings

The workshop process and subsequent meetings with the neighborhood revealed that concerns revolved around several major areas:

- 1) There was a desire to better integrate the major ongoing planning activities so that neighborhood leaders and residents can monitor and influence the outcome. While the activity is appreciated, it also causes concern about changing the fundamental character of the area.
- 2) There was a desire for various small scale civic improvements—wider sidewalks, street lighting and park improvements were common themes in most workshop maps.
- 3) Major streets, notably Malcolm X, Martin Luther King Boulevard., Hatcher Street and Lamar Street are all identified as needing corridor improvements. In addition, the Malcolm X Boulevard. connection to Deep Ellum is in very poor condition and has been identified as an improvement that would assist in connecting South Dallas/Fair Park to Downtown.
- 4) Improvements to two key commercial nodes were seen as a potential improvement to retail and other services in the area and the beginning of “locally grown” stores and offices—specifically focusing on stimulating commercial development at the intersections of Malcolm X and Martin Luther King, and Hatcher and Malcolm X. The addition of a retail anchor such as a grocery store was seen as crucial to attract other smaller retailers to the area and to allow local entrepreneurs to thrive.

- 5) Continued rehabilitation of the existing housing stock was important, including programs that assist local area renters to purchase their first homes.

The South Dallas/Fair Park area probably does not need another planning initiative, so this action plan does not recommend the development of a typical Area Plan. Given that the implementation of the Trinity River Corridor Plan and the DART station Area Plans are imminent, the beginning of another planning process would be ill advised.

However, there is a need for a strategic process to organize the neighborhood's many advocates and provide an opportunity for coordinated action by a coalition of groups. The City of Dallas can facilitate the ongoing development of this area and the implementation of forwardDallas! by assisting in this process. The following were some the major concepts that were developed during the course of this study:

Organization

1. Develop a process of regular meetings of the many interest groups and neighborhood activists to keep abreast of the ongoing activities, to identify common short-term objectives, to facilitate communication and coordination among the parties and to provide a forum for the neighborhood and those who care about it to impact City decisions. In addition to the participation of the City of Dallas, the involvement of the Black Chamber of Commerce was mentioned as helping organize such a meeting. The meeting would be at least annually, and more often during periods of great activity.
2. Develop an annual neighborhood action plan and a realistic set of annual objectives. This adds the voice of a coalition to an achievable set of goals. A group of people working for a common goal can achieve more than the uncoordinated activities of many.



Workshop participants indicated a desire for additional civic improvements including wider sidewalks, better lighting, and new parks.

DEVELOPING A STRATEGIC VISION



Improving linkages between South Dallas and Downtown will help facilitate more interaction between South Dallas and the rest of the city.

Connectivity and Transportation

1. The Trinity River Corridor Plan has identified a major project that will affect the neighborhood. The goal of the neighborhood was the efficient movement of regional traffic through the Trinity Parkway link without cutting the neighborhood in half. This development should involve the neighborhood thoroughly and use forwardDallas! Context Sensitive Design policies.
2. Another major Trinity River Corridor Plan project is the improvement of Lamar. The implementation of this plan should be a high priority for the City and should fully integrate key forwardDallas! concepts such as the small Area Planning process, the forwardDallas! Building Blocks and Context Sensitive Design.
3. Develop better linkages to Downtown through the DART light rail system, and identify transitoriented development opportunities. The South Dallas/Fair Park area is now somewhat isolated from the Downtown, but the DART Southeast Corridor will make Downtown a few minutes away. This can be used to benefit the neighborhood by attracting new investment around the DART stations.
4. Malcolm X Boulevard is one of the major connections with Downtown and Deep Ellum. It is in poor condition. In order to enhance the viability of Malcolm X as a neighborhood commercial corridor, it should get improved paving and street lighting. In addition, developing a gateway at the intersection of Martin Luther King Boulevard. would announce arrival in the neighborhood. These needs should be included in the City's capital improvements budgeting.

Accessibility to Parks

1. The development of the Trinity River Corridor will diversify recreational options for residents. The planning of these improvements should include connections to neighborhood parks and playgrounds with safe routes that have protection from traffic but also good visibility in the neighborhood.
2. The neighborhood is fully developed, and it is inadvisable to create off-street paths and trails. However, the upcoming plans for the area should create linkages with pedestrian-scaled streetscapes. Therefore key routes to neighborhood destinations should be identified and receive priority for pedestrian-friendly improvements.
3. While South Dallas has some small parks, many residents expressed a desire to see parks expanded and improved. Some parks have a chronic problem with homeless people and loitering that intimidates some residents and keeps them from using the parks. These issues should be addressed and improvements made that will attract local residents and discourage undesirable uses.
4. The neighborhood should work with the Park and Recreation Departments to identify improvements to local parks (such as recreational fountains) that will attract residents and local children in a safe outdoor environment.

Land Development

1. One of the often repeated desires of the neighborhood was to attract a retail anchor to the area. Many feel that if it locates in an existing commercial area and is integrated into the street, it would assist in developing the remainder of the area and provide an opportunity for local entrepreneurs to thrive. A good local example is the stimulating effect that the recent Fiesta Grocery store has had on the Jefferson Boulevard area. Local and City efforts should continue with an eye toward using the new location as an anchor to new neighborhood investment from large and small storeowners.
2. Two intersections that show a great deal of promise as neighborhood retail centers are the intersections of Malcolm X Blvd. and Martin Luther King Boulevard and Hatcher Street and Malcolm X Boulevard. These already have some retail and service activity, but both would benefit from small scale investments in sidewalks, lighting and tree planting in addition to developing a program for storefront improvement grants or loans.



Safe and active parks, easily accessible by area residents, will help create a more vibrant and active community.

STRATEGIC ACTION RECOMMENDATIONS



South Dallas' Black Forest Theater hosts some of the biggest names in music.

Cultural Identity

A key concern of residents was that the expected revitalization of the area would not result in widespread gentrification and displacement of existing residents. An often cited example was the development of State Thomas, which once was a primarily African-American community and now has few minority residents. Therefore, a strong program to preserve the diverse nature of this area should be initiated. As the City begins the development code amendments to implement forwardDallas!, this neighborhood should be actively involved, noting that some of the urban design, zoning and parking changes could be implemented to help retain the area's identity. Some of the concepts are:

1. Develop and encourage a distinctive building style and decoration. The building style used should not be an imitation of Uptown, but one unique to South Dallas/Fair Park that has roots in the existing neighborhood. Some neighborhoods similar to South Dallas/Fair Park have developed a distinctive style of development. For example, neighborhoods in other areas that have a large number of industrial buildings have developed new mixed-use building that use industrial building materials like corrugated metal in creative ways with surprisingly attractive results.
2. Enable locally determined street use policies. Dallas has many restrictions on using the public right-of-way for commercial purposes. However, successful neighborhood retail areas often have a blurred line when it comes to public and private property. Commercial and neighborhood activity often spills out into the sidewalk and street, and in many cultures this is a celebrated part of neighborhood life. While outright street vending is not seen as desirable, many other activities may be acceptable and discussions with the neighborhood should be conducted for a pilot program of relaxed street use policies in South Dallas/Fair Park, as well as other neighborhoods. The following ideas should be explored:
 - a. Awnings: Currently awnings are highly restricted and the City charges a high fee if they extend over the public right-of-way. Policies should be changed in South Dallas/Fair Park to encourage sidewalk shading by awnings, making them subject to a use agreement.
 - b. Retailing on the sidewalks: Extending retailing activity onto adjacent sidewalks is part of many neighborhoods. This includes small A-frame signs, some display of merchandise, and sidewalk seating for restaurants. This

should be permitted if it is adjacent to the business, the displays are limited so as not to obstruct the sidewalk, and an agreement is made for maintenance.

c. Festivals: South Dallas/Fair Park has a tremendous amount of unappreciated musical and artistic talent, as well as local craftsmen and excellent chefs. One way of improving the neighborhood's image is to sponsor festivals and street fairs that invite all of Dallas to spend a day or two enjoying the unique talents of this area.

d. Storefront improvement assistance: Storefront improvement grants can assist small businesses to make improvements to the exterior of buildings and properties in order to make these existing businesses compatible with the vision for the area. Painting, historic restorations, awnings and landscaping are typical improvements that can be supported particularly along important corridors such as Martin Luther King Boulevard, Second Avenue and Hatcher Street. A well-managed program can provide grants or revolving loans, and require at least 50 percent match from applicants.



South Dallas/Fair Park has a tremendous amount of unappreciated musical and artistic talent.



TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS

Building Homes. Strengthening Communities.

2011 Multifamily Uniform Application Certification

Mailing Address: P.O. Box 13941, Austin, TX 78711-3941

Physical Address: 221 East 11th Street, Austin, TX 78701

Development Name: Hatcher Square

Development City: Dallas

The undersigned hereby makes an Application to Texas Department of Housing and Community Affairs. The Applicant affirms that they have read and understand the 2011 Qualified Allocation Plan, and in particular understands the requirements under §49.12(a), Adherence to Obligations, as well as IRC Section 42. By signing this document, Applicant is affirming that all statements and representations made in this document, including all supporting materials, are true and correct under penalty of Chapter 37 of the Texas Penal Code titled Perjury and Other Falsification and subject to criminal penalties as defined by the State of Texas. TEX. PENAL CODE ANN. §§37.01 et seq. (VERNON 2003 & SUPP. 2007).

By: 
Signature of Applicant

Jon Edmonds
Printed Name

2/18/11
Date

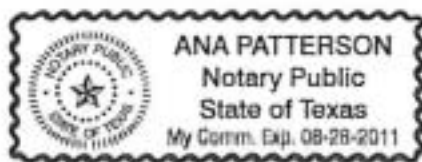
STATE OF: Texas

COUNTY OF: Dallas

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Jon Edmond whose name is signed to the foregoing statement, and who is known to be one in the same, has acknowledged before me on this date, that being informed of the contents of this statement, executed the same voluntarily on the date same foregoing statement bears.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 18th day of February, 2011

(Seal)




Notary Public Signature

Notary Public, State of

Texas

County of

Dallas

My commission expires:

8-28-11

Volume 1, Tab 1
Development Narrative

Hatcher Square is a new construction development located on 4.19 acres in Dallas, Texas at the Northwest corner of Scyene Road and Hatcher Boulevard. It will have 136 units of LIHTC units and approximately 10,000 square feet of commercial and retail space. It will target families with AMIs at or below 60%. Fourteen (14) of these units (10%) will be targeted to families at 30% AMI, 48 units (35%) will be 50% AMI, and 74 units (55%) will be leased to families at 60% AMI or below. There will be five physical building as shown in Volume 1, Tab 2, Part F worksheet. The development will have the following unit mix:

# of Units (A)	# of Bedrooms	# of Baths	Unit Size (Net Rentable Sq. Ft.) (B)	Total Net Rentable Sq. Ft. (A) x (B)
32	1	1.00	696	22,272
59	2	2.00	990	58,410
7	2	2.00	1,141	7,987
7	2	2.00	1,189	8,323
31	3	2.00	1,386	42,408
136				139,400

In addition to the residential units there will be approximately 10,000 square feet of commercial/retail space for rent and a 3,651 community/leasing center.

TOTAL DEVELOPMENT SUMMARY			Expected Payee Taxpayer Identification Number (TIN) ¹ (and % of cost if item involves multiple payees)
Total Cost	Eligible Basis (If Applicable)		
	Acquisition	New/Rehab.	

DEVELOPMENT NAME:

Hatcher SquareCity: Dallas**DIRECT CONSTRUCTION COSTS (Continued):**

Furnishings			0	
Special Construction			0	
Conveying Systems (Elevators)			0	
Mechanical (HVAC; Plumbing)	1,590,927		1,590,927	75-2569799
Electrical	774,623		774,623	75-2569799
Individually itemize costs below:				
Detached Community Facilities/Building			0	
Carports and/or Garages			0	
Lead-Based Paint Abatement			0	
Asbestos Abatement			0	
Other (specify) - see footnote 2			0	
Other (specify) - see footnote 2			0	
Subtotal Direct Const. Costs	\$8,093,130	\$0	\$8,093,130	
TOTAL DIRECT CONST. & SITE WORK	\$9,832,034	\$0	\$9,534,099	

OTHER CONSTRUCTION COSTS

General requirements (<6%)	6.00%	571,689		571,689	75-2569799
Field supervision (within GR limit)				0	
Contractor overhead (<2%)	2.00%	190,563		190,563	75-2569799
G & A Field (within overhead limit)				0	
Contractor profit (<6%)	6.00%	571,689		571,689	75-2569799
Contingency (<5%)	5.00%	476,408		476,408	75-2569799
Subtotal Ancillary Hard Costs		\$1,810,349	\$0	\$1,810,349	
TOTAL DIRECT HARD COSTS		\$11,642,383	\$0	\$11,344,448	

INDIRECT CONSTRUCTION COSTS⁴

Architectural - Design fees		500,000		500,000	20-18847332
Architectural - Supervision fees		100,000		100,000	20-18847332
Engineering fees		200,000		200,000	75-2498723
Real estate attorney/other legal fees		300,000		300,000	74-1201087
Accounting fees		28,300		28,300	75-2805390
Impact Fees				0	
Building permits & related costs		110,000		110,000	City of Dallas
Appraisal		16,252		16,252	74-2555586
Market analysis		18,750		18,750	74-2555586
Environmental assessment		10,000		10,000	75-1765259
Soils report		10,000		10,000	75-1765259
Survey		20,000		20,000	75-2498723
Marketing		85,000			
Partnership Hazard & liability insurance		125,000		125,000	75-2737533
Real property taxes		50,000		50,000	City of Dallas
Personal property taxes				0	
Tenant relocation expenses				0	
Other (specify) - see footnote 2				0	
Other (specify) - see footnote 2				0	
Subtotal Indirect Const. Cost		\$1,573,302	\$0	\$1,488,302	

DEVELOPER FEES⁴

Housing consultant fees ⁵		150,000		150,000	26-4661532/75-2652155
General & administrative				0	
Profit or fee		2,062,000		2,062,000	20-3395474/75-2377044
Subtotal Developer's Fees	14.86%	\$2,212,000	\$0	\$2,212,000	

Volume 1, Tab 4. Funding Request

PART A. Summary of Sources and Uses of Funds

Describe all sources of funds and total uses of funds. Information must be consistent with the information provided throughout the Application (i.e. Financing Narrative, Commitment Letters and Development Cost Schedule). Where funds such as tax credits, loan guarantees, bonds are used, only the proceeds going into the development should be identified so that "sources" match "uses."

Development Name: Hatcher SquareDevelopment City: Dallas

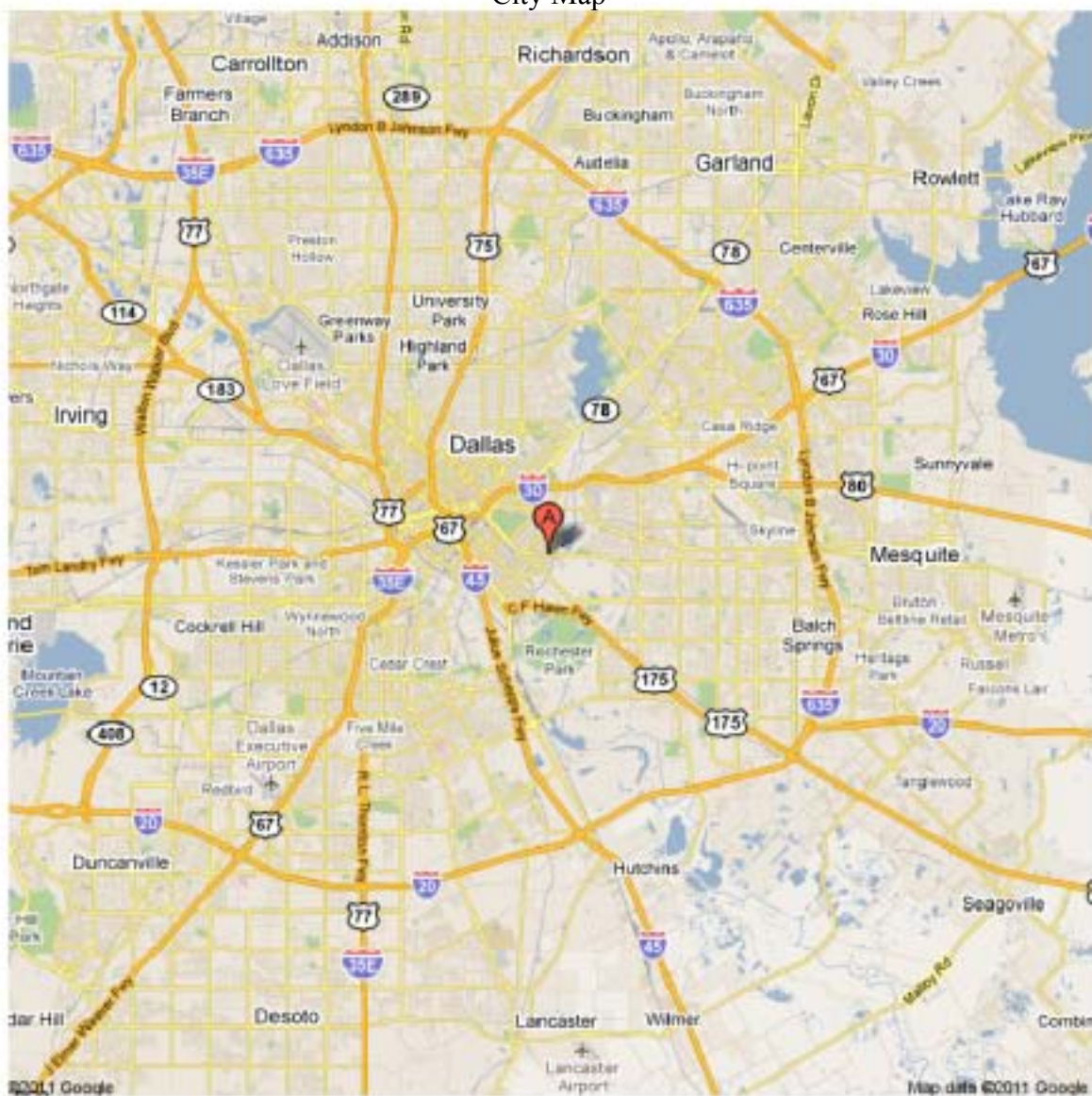
Funding Description	Construction Period		Permanent Period					Financing Participants
	Loan/Equity Amount	Interest Rate (%)	Loan/Equity Amount	Interest Rate (%)	Amort	Term	Syndication Rate (\$)	
DEBT								
Conventional Loan	\$4,074,288	7.88%	\$4,074,288	7.880%	30	20		Amegy Mortgage Capital
Conventional Loan	\$6,845,795	5.00%						Amegy Mortgage Capital
Local Government Loan	\$1,025,000	0.00%	\$1,025,000	0.00%	N/A			City of Dallas
Local Government Loan	\$475,000	0.00%	\$475,000	0.00%	N/A			City of Dallas
Other (Please Describe)								
Other (Please Describe)								
Third Party Equity								
HTC Syndication Proceeds	\$6,749,325		\$14,998,500				\$0.75	National Equity Fund
Other (Please Describe)								
Grant								
Other (Please Describe)								
Deferred Developer Fee								
Deferred Developer Fee	\$1,500,000		\$96,620					Frazier Revitalization, Inc./Carleton Residential Limited Partnership
Other (Please Describe)								
Other								
Please Describe								
Please Describe								4
Please Describe								
Please Describe								
TOTAL SOURCES OF FUNDS	\$ 20,669,408		\$ 20,669,408					
TOTAL USES OF FUNDS			\$ 20,669,408					

Volume 1, Tab 4

Hatcher Square Financing Narrative

Hatcher is a new construction transportation oriented project by Frazier HS, LP. It will be financed with a combination of tax credit equity, debt, and deferred developer fee. During the construction period, the project will be funded by tax credit equity of \$6,749,325 from National Equity Fund, Inc., construction debt of \$10,920,083 from Amegy Mortgage Capital, a loan of \$1,025,000 from the City of Dallas, another loan of \$475,000 from the City of Dallas, and deferred developer fee of \$1,500,000. The tax credit equity represents 45% of the tax credit equity raised of \$14,998,500. The final capital structure will include tax credit equity of \$14,998,500 (representing \$0.75 per credit dollar) from National Equity Fund, Inc., permanent debt of \$4,074,288 from Amegy Mortgage Capital, a loan of \$1,025,000 from the City of Dallas, another loan of \$475,000 from the City of Dallas, and \$96,620 in deferred developer fee. Please see the attached commitment letters for further detail of the financing structure.

Volume 2, Tab 1
City Map



Volume 2, Tab 1, Part C
Retail Centers

A. Hope Restoration Inc

3907 Bertrand Ave, Dallas, TX -
(214) 421-8300

B. Moonlite Market

4632 Scyene Road, Dallas, TX -
(214) 421-9710

C. Blaine's Motor Supply Inc

4700 Scyene Road, Dallas, TX -
(214) 426-4400

D. 2nd Avenue Thrift Store

4640 South 2nd Ave, Dallas, TX -
(214) 428-3156

E. Second Avenue Pawn Shop

4727 South 2nd Ave, Dallas, TX -
(214) 428-6170

F. Diamond J Grocery Beer & Wine

3022 Lagow Street, Dallas, TX -
(214) 565-1707

G. Harold's Discount Tire Services

4700 South 2nd Ave, Dallas, TX -
(214) 421-2099

H. Triple B Hardware

3623 Copeland St., Dallas, TX -
(214) 421-4935

I. John's Used Furniture

4502 South 2nd Ave, Dallas, TX -
(214) 421-5624

J. Cladrite

4828 Racell Street, Dallas, TX -
(214) 928-9930



Volume 2, Tab 1, Part C
Medical Complexes

- | | |
|---|---|
| <p>A. Optimum Healthcare
2633 Ferris St, Dallas, Texas - (972) 261-2005</p> | <p>B. Dr. Courtney J. Johnson, DDS
2922 Martin Luther King Junior Boulevard,
Dallas, TX - (214) 426-2686</p> |
| <p>C. South East Health LLC
4206 South Fitzhugh Avenue, Dallas, TX -
(214) 928-9800</p> | <p>D. Dr. David R. Maxwell, DDS
2922 Martin Luther King Junior Boulevard,
Dallas, TX - (214) 426-3645</p> |
| <p>E. Hirsch Clinic - Dallas Hcg
1902 Martin Luther King Junior Boulevard,
Dallas, TX - (214) 421-1188</p> | <p>F. Baxter Kathleen M
2835 Grand Avenue, Dallas, TX -
(214) 421 4111</p> |
| <p>G. Klein Jennifer
1906 Peabody Avenue, Dallas, TX -
(214) 421-7848</p> | <p>H. Optimum Healthcare
2633 Ferris Street, Dallas, TX - (972) 261-2005
2 reviews</p> |
| <p>I. Backworks of Dallas
3116 Martin Luther King Jr Blv, Dallas, TX -
(214) 956-6995</p> | <p>J. Malcom X Pediatrics
4432 Malcolm X Boulevard, Dallas, TX -
(214) 428-2010</p> |



Volume 2, Tab 1, Part C
Recreational Facilities

A. State Fair of Texas: Fair Time-Special Events

3921 Martin Luther King Blvd., Dallas, Texas -
(214) 565-9931

B. Juanita Craft Recreation Center

4500 Spring Ave, Dallas, TX - (214) 670-8203

C. Larry Johnson Recreation Center

3700 Dixon Avenue, Dallas, TX - (214) 670-8495

D. KGS Bikes - Dallas

731 Exposition Avenue, Dallas, TX -
(210) 849-2501

E. Dallas Aquarium at Fair Park

1462 1st Ave, Dallas, Texas

F. City of Dallas: Recreation Centers

2922 Martin Luther King Jr Bl, Dallas, TX -
(214) 670-8363

G. Flowing Circle Aikido Center of Dallas

3612 Commerce Street #102, Dallas, TX -
(469) 767-5721

I. Second Avenue Recreation

2200 South 2nd Avenue, Dallas, TX -



(214) 428-9355

Volume 2, Tab 1, Part C
Education Facilities

A. James Madison High School: Schools

3000 Martin L King Blvd, Dallas, TX -

(972) 925-2800

B. Museum of Nature & Science's Children's Museum

1318 South Second Avenue, Dallas, TX -

(214) 428-5555

C. St. Phillips School

1600 Pennsylvania Avenue, Dallas, TX -

(214) 421-5221

D. St Anthony School

3732 Myrtle Street, Dallas, TX - (214) 421-3645

E. Schools: James Daniel (Chappie) Learning Center

1718 Robert B Cullum Boulevard, Dallas, TX -

(972) 749-5200

G. Science Place Head Start

1620 1st Avenue, Dallas, TX - (214) 426-1188

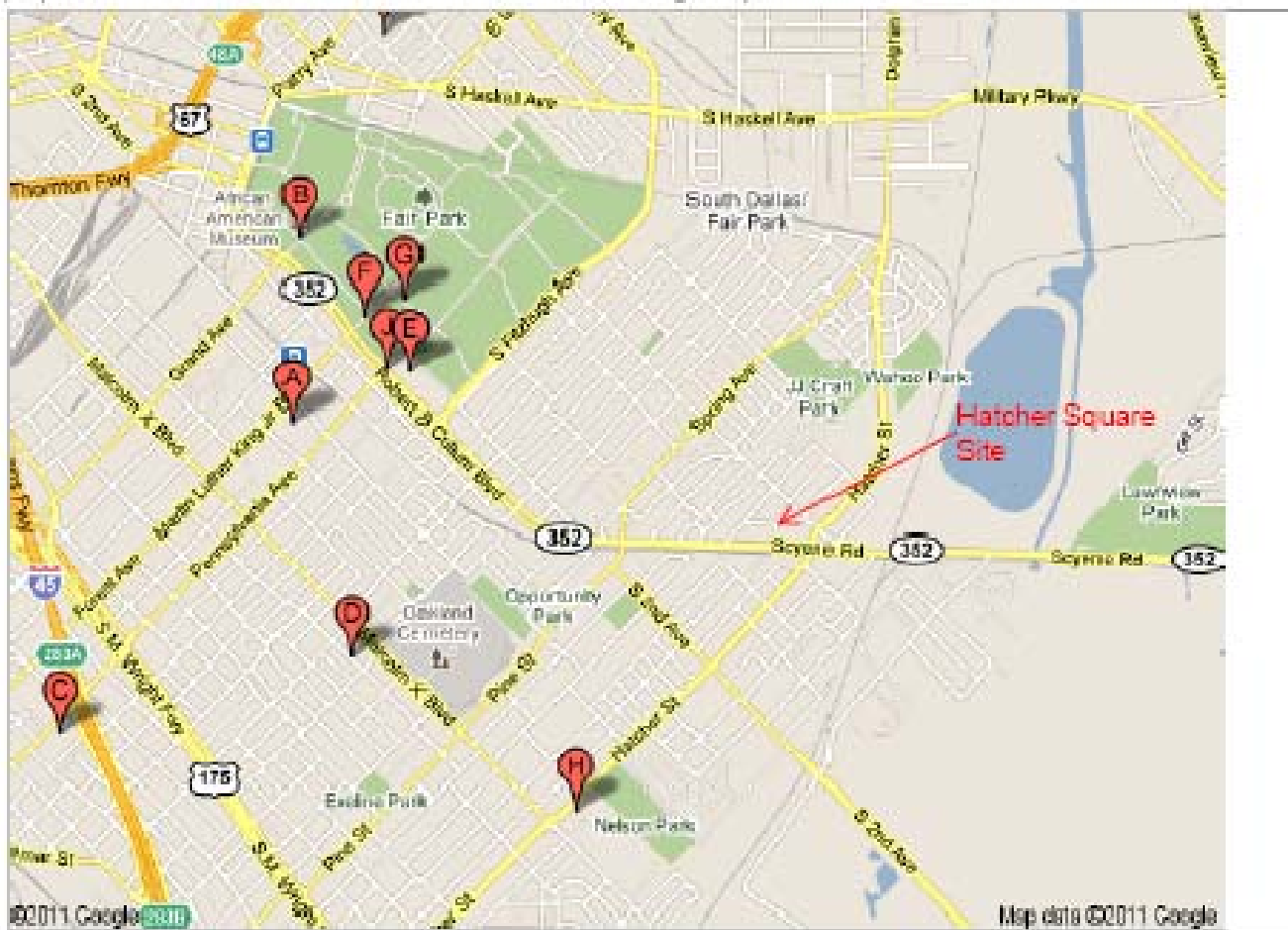
H. Schools: Lincoln Humanities Communications Magnet

2826 Hatcher Street, Dallas, TX -

(972) 925-7600

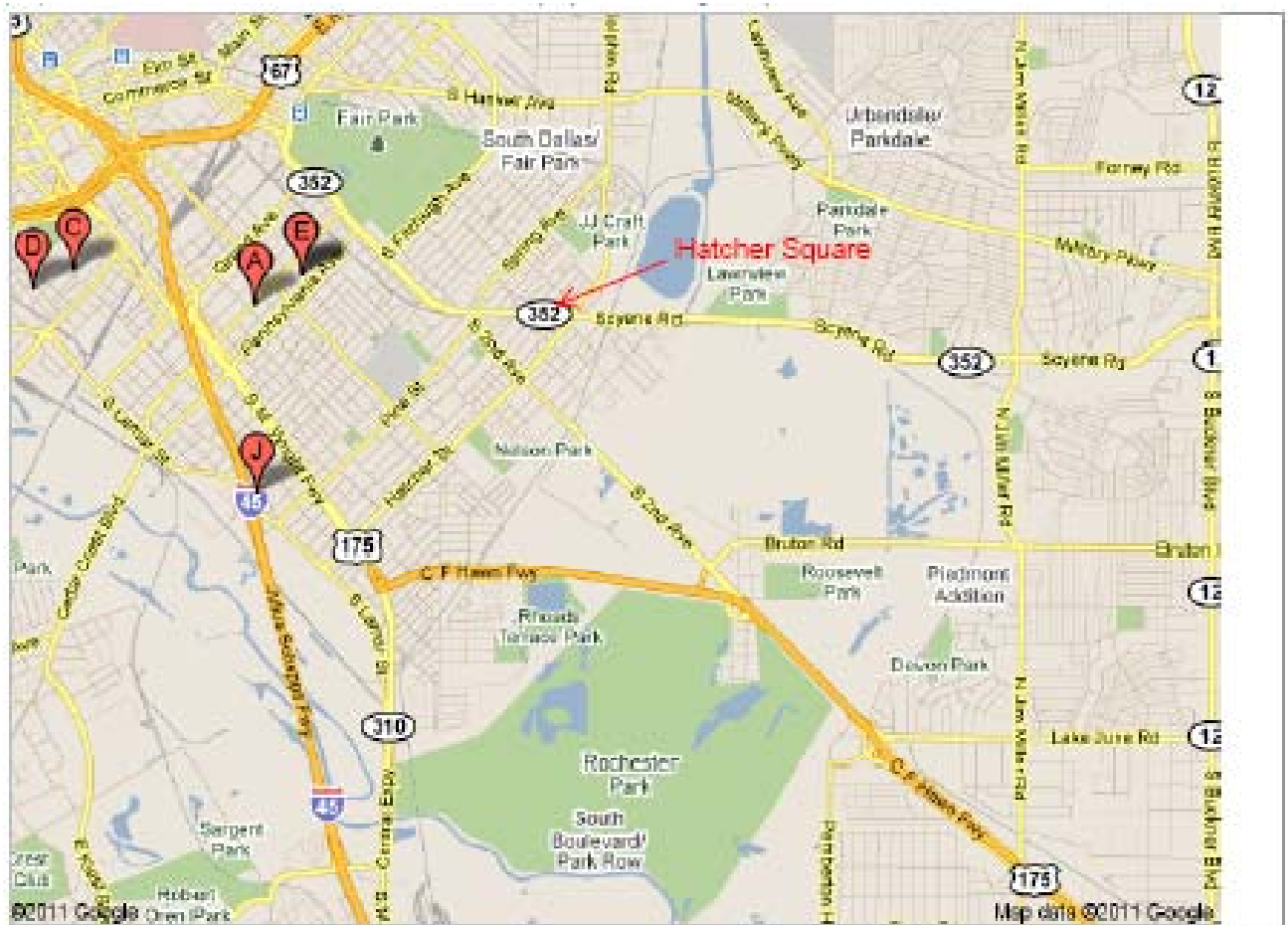
1/17/2011

Schools - Google Maps

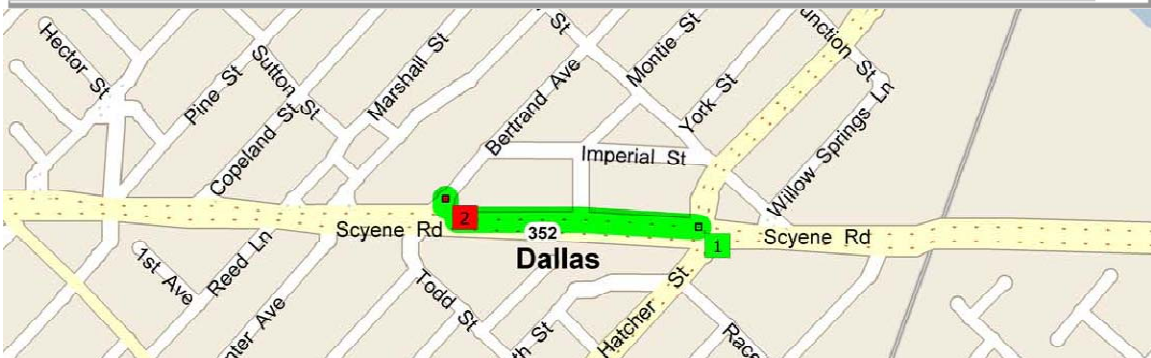
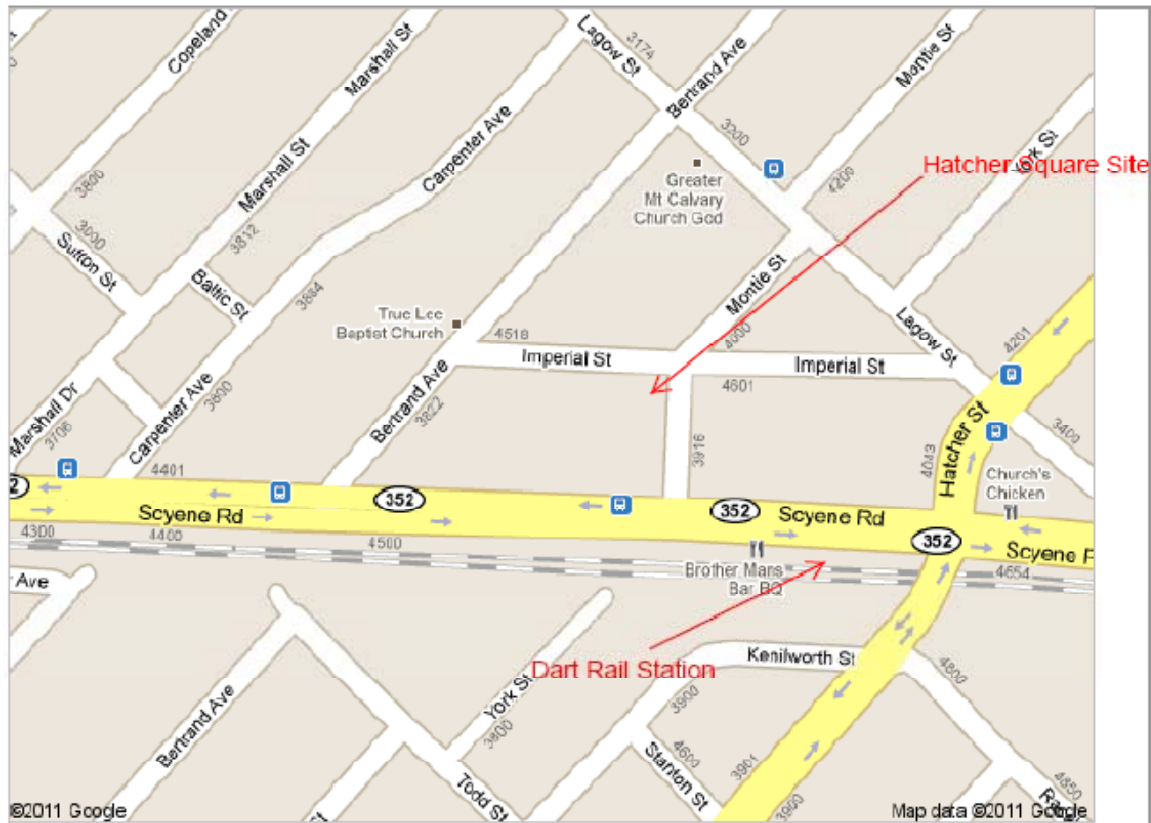


Volume 2, Tab 1, Part C
Large Scale Employment Centers

- | | |
|---|---|
| <p>A. All Temps 1 Personnel
2606 Martin Luther King # 207, Dallas, TX -
(214) 426-0091</p> <p>C. Pacesetter Personnel Services
1818 South Ervay Street, Dallas, TX -
(214) 651-0202</p> <p>E. City of Dallas: Employment Center
2922 Martin Luther King Jr Bl, Dallas, TX -
(214) 670-5955
1 review</p> <p>G. Ami Staffing Inc
415 South Carroll Avenue, Dallas, TX</p> <p>I. Greet America Public Record
8035 E R L Thornton Fwy # 410, Dallas, TX -
(214) 320-9836</p> | <p>B. Kelly Services
3801 Gaston Ave # 230, Dallas, TX -
(214) 370-3823</p> <p>D. Able Body Labor
1712 South Akard Street, Dallas, TX -
(214) 428-4372
1 review</p> <p>F. Staff Force Inc
8344 E R L Thornton Fwy # 202, Dallas, TX -
(214) 328-8039</p> <p>H. Workforce Solutions
2922 Martin L King Jr Bl # 104, Dallas, TX -
(214) 421-2460</p> <p>J. Eyes On Employment
1622 Mcdonald Drive, Dallas, TX -
(214) 741-3937</p> |
|---|---|

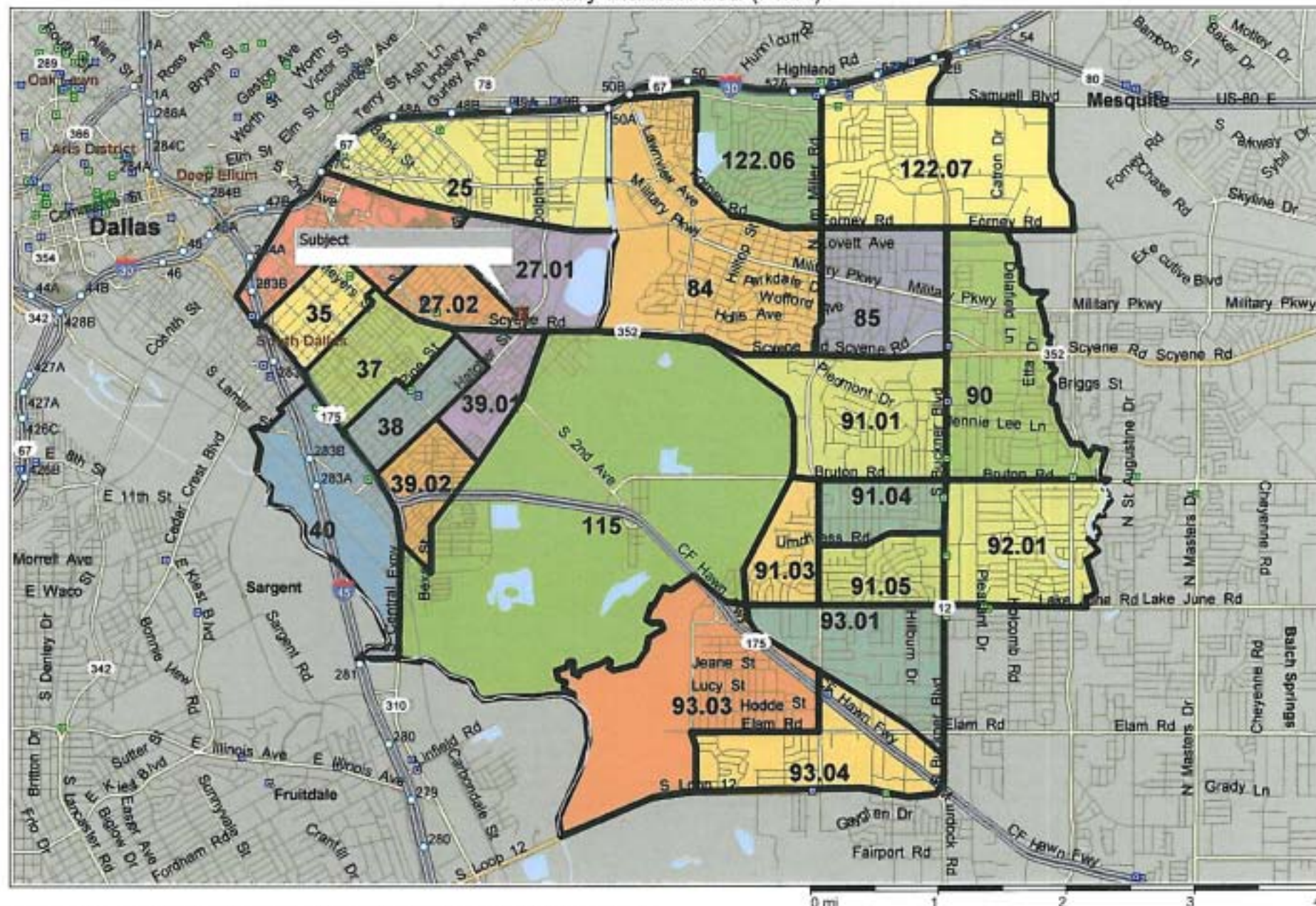


Volume 2, Tab 1, Part C
Public Transportation



0.0 mi 1 Depart 4110 Hatcher St, Dallas, TX 75210 on SR-352 [Scyene Rd] (West) for 0.2 mi
0.2 mi Bear RIGHT (North-West) onto Local road(s) for 32 yds
0.2 mi 2 Arrive 3800 Bertrand Ave, Dallas, TX 75210

Primary Market Area (PMA)



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 Certain mapping and direction data © 2008 NAVTEQ. All rights reserved. The Data for areas of Canada includes information taken with permission from Canadian authorities, including: © Her Majesty the Queen in Right of Canada, © Queen's Printer for Ontario. NAVTEQ and NAVTEQ ON BOARD are trademarks of NAVTEQ. © 2008 Tele Atlas North America, Inc. All rights reserved. Tele Atlas and Tele Atlas North America are trademarks of Tele Atlas, Inc. © 2008 by Applied Geographic Systems. All rights reserved.

Volume 4, Tab 1**APPLICANT SELF SCORE**

Instructions: Complete the following form and indicate all points requested for this Application. All evidence as required by §49.9(A) of the 2011 QAP must be submitted as outlined in the Application Submission Procedures Manual.

Development: Hatcher Square

City: Dallas

Tab #	§49.9(a)	Point Category	Points Requested
1	(1)	Financial Feasibility (28 Points Maximum)	28
2	(2)	Quantifiable Community Participation (Points Not Requested in Self Score)	N/A
3	(3)	The Income Levels of Tenants of the Development (22 Points Maximum)	22
4	(4)(A)	Size of the Units (6 Points)	6
4	(4)(B)	Quality of the Units (14 Points Maximum)	14
5	(5)	The Commitment of Development Funding by Units of General Local Government (18 Points Maximum)	18
6	(6)	Community Support from State Representative or State Senator (Points Not Requested in Self Score)	N/A
7	(7)	The Rent Levels of the Units (12 Points Maximum)	12
8	(8)	The Cost of the Development by Square Foot (10 Points)	10
9	(9)	Tenant Services (8 Points Maximum)	8
10	(10)	Declared Disaster Areas (7 Points)	7
11	(11)	Community Input Other Than Quantifiable Community Participation (6 Points Maximum)	N/A
12	(12)	Housing Needs Characteristics (6 Points Maximum)	4
13	(13)	Community Revitalization (6 Points Maximum)	3
14	(14)	Pre-Application Participation Incentive Points (6 Points)	6
15	(15)	Green Building Initiatives (6 Points Maximum)	6
16	(16)	Development Location (4 Points)	4
17	(17)	Economic Development Initiatives (4 Points)	4
18	(18)	Developments in Census Tracts with No Other Existing Same Type Developments Supported by Tax Credits (4 Points)	4
19	(19)	Tenant Populations with Special Housing Needs (4 Points)	4
20	(20)	Length of Affordability Period (4 Points Maximum)	4
21	(21)	Site Characteristics (4 Points)	4
22	(22)	Development Size (3 Points)	0
23	(23)	Sponsor Characteristics (2 Points)	1
24	(24)	Qualified Census Tracts with Revitalization (1 Point)	1
25	(25)	Developments Intended for Eventual Tenant Ownership – Right of First Refusal (1 Point)	1
26	(26)	Leveraging of Private, State, and Federal Resources (1 Point)	1
27	(27)	Third Party Funding Outside of Qualified Census Tracts (1 Point)	0
	(28)	Scoring Criteria Imposing Penalties (5 Point Deduction for Each Applicable Instance)	0
Total Points Requested (must be 130 or greater (unless TRDO-USDA):			172

Volume 4, Tab 12

HOUSING NEEDS CHARACTERISTICS (§49.9(A)(12))

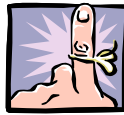
Development location for which points are being requested (incorporated place or Census Designated Place):

Dallas

Points requested: 4

Applicant is eligible for the points requested because one of the two options below is satisfied:

- ☒ The Development is located in a "Place" as listed in the 2011 Housing Tax Credit Site Demographic Characteristics Report and the score indicated above matches the Affordable Housing Needs Score reflected in the Site Demographics Report and was requested on the Applicant's Self Score form. No further documentation is required.
- ☐ The Development is located in an area that is **NOT** listed in the 2011 Housing Tax Credit Site Demographic Characteristics Report and the score indicated above is for the closest incorporated "Place" to the Development; **AND**
A map is provided that identifies the location of the Development Site and the boundaries of the "Place." The map should indicate the distance from the Development Site to the boundaries of the nearest Place.



REMEMBER TO SUBMIT YOUR EVIDENCE BEHIND THIS FORM

Volume 4, Tab 13**COMMUNITY REVITALIZATION or HISTORIC PRESERVATION (§49.9(a)(13))**

The Application proposes:

- ☐ **Community Revitalization**- the Development includes the use of an Existing Residential Development and proposes any Rehabilitation or any Reconstruction that is part of a Community Revitalization Plan. (§42(m)(1)(C)(iii))

Evidence to be provided to satisfy this requirement:

- ☐ *Volume 2, Tab 1, Part B- 2011 Existing Residential Development Certification Form* is present in Volume 2, and is fully executed.

AND

- ☐ A letter from the Appropriate Local Official stating there is a Community Revitalization Plan in effect and the Development is within the area covered by the plan.

If the Applicant is unable to obtain a letter from an Appropriate Local Official, then the following must be provided:

- ☐ If the Community Revitalization Plan has specific boundaries, a copy of the Plan adopted by the jurisdiction or its designee and a map showing that the Development is within the area covered by the Community Revitalization Plan.

- ☐ **Historic Preservation** - The Development includes the use of an existing building that is designated as historic by a federal or state Entity and proposes Rehabilitation (including Reconstruction) or Adaptive Reuse.

Evidence to be provided includes:

- ☐ The Development **includes*** the use of an existing building that is designated as historic by a federal or state entity and proposes Rehabilitation (including reconstruction) or Adaptive Reuse.
- ☐ Proof of the historic designation from the appropriate Governmental Body is included.
- ☐ Letter from the Texas Historical Commission indicating the effect of the proposed rehabilitation on historical structure is included.

***The Development itself must have the designation; points in this subparagraph are not available for Developments simply located within historic districts or areas that do not have a designation on the building. The Development must include the historic building.**

- ☐ **Rehabilitation** - Application proposes to build solely Rehabilitation.
- ☐ **Reconstruction** - Application proposes to build solely Reconstruction.
- ☐ **Adaptive Reuse** - Application proposes to build solely Adaptive Reuse.

- ☒ **New Construction** - the Development is New Construction and is proposed to be located in an area that is part of a Community Revitalization Plan.

Evidence to be provided includes one of the following:

Evidence to be provided to satisfy this requirement:

- ☒ A letter from the Appropriate Local Official stating there is a Community Revitalization Plan in effect and the Development is within the area covered by the plan.

If the Applicant is unable to obtain a letter from an Appropriate Local Official, then the following must be provided:

- ☐ If the Community Revitalization Plan has specific boundaries, a copy of the Plan adopted by the jurisdiction or its designee and a map showing that the Development is within the area covered by the Community Revitalization Plan.



REMEMBER TO PLACE YOUR EVIDENCE BEHIND THIS FORM



January 20, 2011

Michael Gerber
Executive Director
Texas Department of Housing and Community Affairs
P.O. Box 13941
Austin, TX 78711-3941

Re: Hatcher Square - Scyene Road/Hatcher Boulevard

Dear Mr. Gerber:

It is our understanding that Hatcher Square at Scyene Road and Hatcher Boulevard, Dallas, Texas 75210 is considering a possible submission of an application with the Texas Department of Housing and Community Affairs for tax credit consideration.

The property is located within Census Tract 27.02, Block Group 3 which is a low-moderate income census tract as defined by the Department of Housing and Urban Development and the U.S. Census. The provision of affordable housing is a priority for the City of Dallas and this priority has been adopted in the City's Consolidated Plan which acts as the Community Revitalization Plan.

Please feel free to contact me at (214) 670-3619 should you have any questions or need more information.

Sincerely,


FCI- Bernadette M. Mitchell,
Assistant Director
Housing/Community Services Department

Volume 4, Tab 16**DEVELOPMENT LOCATION (§49.9(a)(16))**

Applicants may qualify for 4 points for qualifying under this exhibit. Select the appropriate box for points requested:

- ☐ A) The Development is located in a census tract which has a median family income (MFI) that is higher than the median family income for the county in which the census tract is located. These Census Tracts are outlined in the 2011 Housing Tax Credit Site Demographic Characteristics Report.
- ☐ B) The proposed Development will serve families with children (at least 70% of the Units must have an eligible bedroom mix of two bedrooms or more) and is proposed to be located in an elementary school attendance zone that has an academic rating of "Exemplary" or "Recognized," or comparable rating if the rating system changes. An elementary attendance zone **does not** include magnet school or elementary schools with district-wide possibility of enrollment or no defined attendance zones. The date for consideration of the attendance zone is that in existence as of the opening date of the Application Round and the academic rating is the most current rating determined by the Texas Education Agency as of that same date. (§42(m)(1)(C)(vii))
- ☐ C) The proposed Development will expand affordable housing opportunities for low-income families with children outside of poverty areas. This must be demonstrated by showing that the Development will serve families with children (at least 70% of the Units must have an eligible bedroom mix of two bedrooms or more) and that the census tract in which the Development is proposed to be located has no greater than 10% poverty population according to the most recent census data. (§42(m)(1)(C)(vii)) These Census Tracts are outlined in the 2011 Housing Tax Credit Site Demographic Characteristics Report.
- ☐ D) The proposed Development is located in an urban core, on a site where the proposed use is not prohibited by the Unit of General Local Government via ordinance or regulation. For purposes of this item, an urban core is defined as a compact and contiguous geographical area that is located in a Metropolitan Statistical Area within the city limits with a population of no less than 150,000 composed of adjacent block groups of which is zoned to accommodate a mix of medium or high density residential and commercial uses and at least 50% of such land is actually being used for such purposes based on high density residential structures and/or commercial structures already constructed. Evidence must be submitted in the form of zoning maps and a certification provided in the Application.
- ☒ E) The proposed Development is located in a high opportunity area as identified in §49.5(d)(2)(D)(i) - (iii) of the 2011 QAP.



REMEMBER TO PLACE EVIDENCE BEHIND THIS FORM

We certify that Hatcher Square will meet be in a high opportunity area as defined in section 49.5(d)(2)(D)(iii). Specifically, it is a Transit Oriented development that is four stories with structured parking to be located within one-quarter mile (as soon on the attached map) of a local commuter rail station accessible to all residents including Persons with Disabilities.

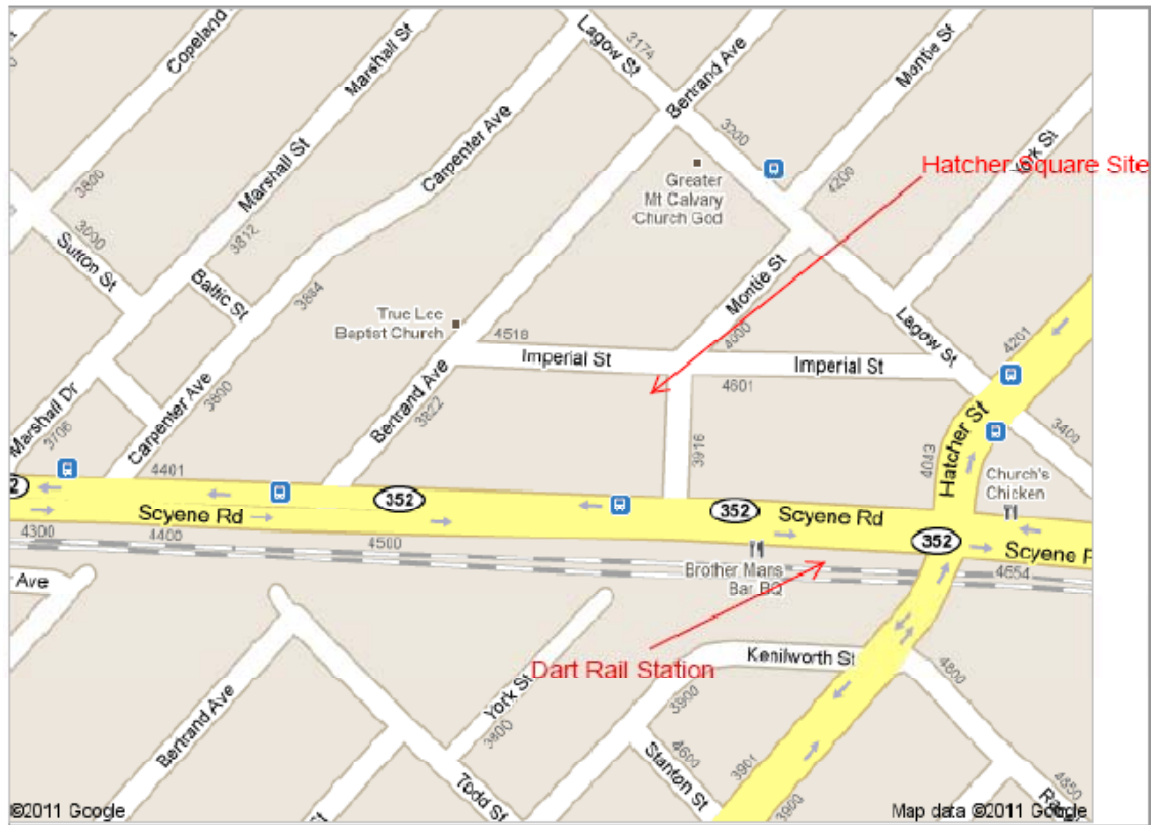
A handwritten signature in blue ink, appearing to read "Jon Edmonds", is written over a horizontal line.

Jon Edmonds, President of general partner

2-18-11

Date

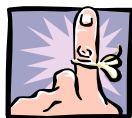
Volume 4, Tab 16



0.0 mi 1 Depart 4110 Hatcher St, Dallas, TX 75210 on SR-352 [Scyene Rd] (West) for 0.2 mi
0.2 mi Bear RIGHT (North-West) onto Local road(s) for 32 yds
0.2 mi 2 Arrive 3800 Bertrand Ave, Dallas, TX 75210

Volume 4, Tab 18

**DEVELOPMENTS IN CENSUS TRACTS WITH NO OTHER EXISTING DEVELOPMENTS SUPPORTED
BY TAX CREDITS (§49.9(a)(18))**

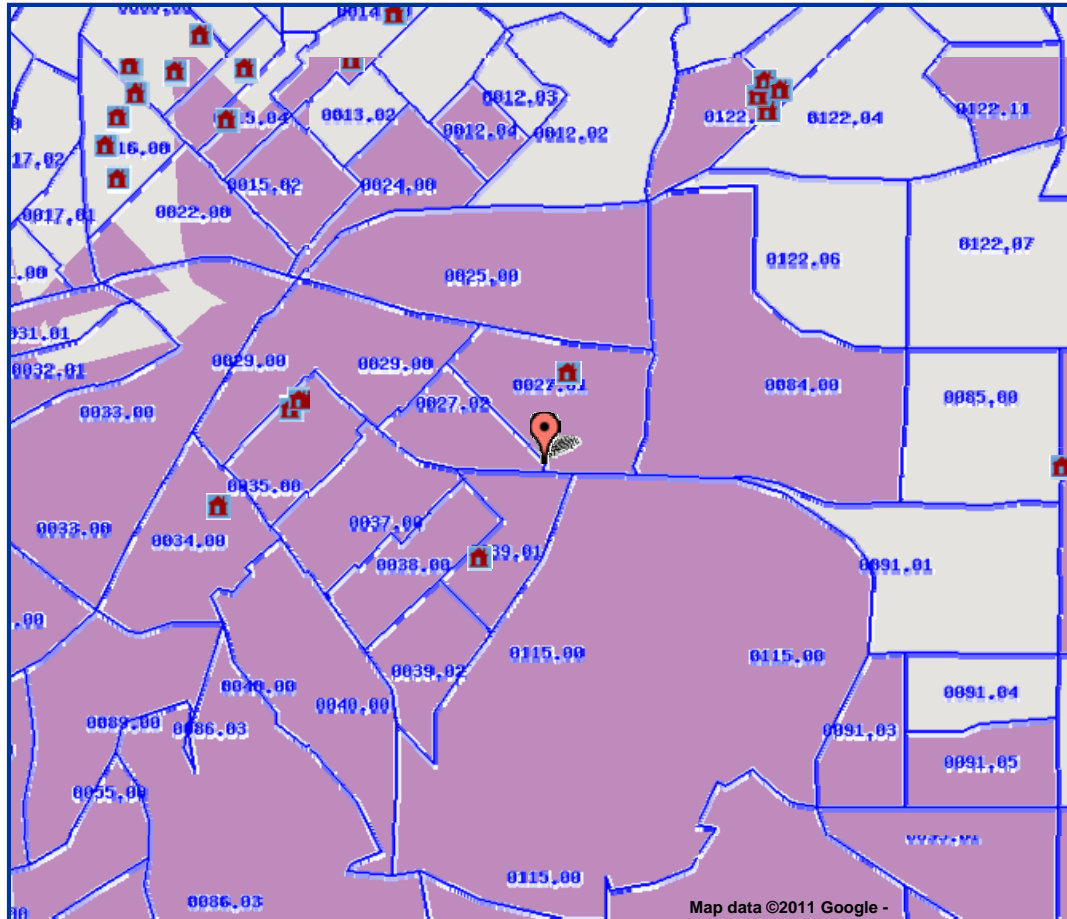


REMEMBER TO SUBMIT YOUR EVIDENCE BEHIND THIS FORM



U.S. Department of Housing and Urban Development
Office of Policy Development and Research

The Address 4131 Hatcher Street, Dallas, Texas falls under Tract - 48113002702. This tract is **Qualified** for 2010
This Tract was **Qualified** for 2006 - 2009



SEARCH

Map options - [Clear|Reset](#)

Address

4131 Hatcher Street, Dallas, Texas

SELECT LAYERS TO BE DRAWN

13 Current Zoom Level

 Show Tracts Outline (Zoom 11+)

 Show LIHTC Projects (Zoom 11+)

 Color Qualified Tracts

CENSUS TRACT QUALIFICATIONS

— Tract Outline

Qualified Census Tracts (2010)

Volume 4, Tab 21

SITE CHARACTERISTICS (§49.9(a)(21))

Applicants may qualify for up to 4 points for qualifying under this exhibit. Select the appropriate box for points requested:

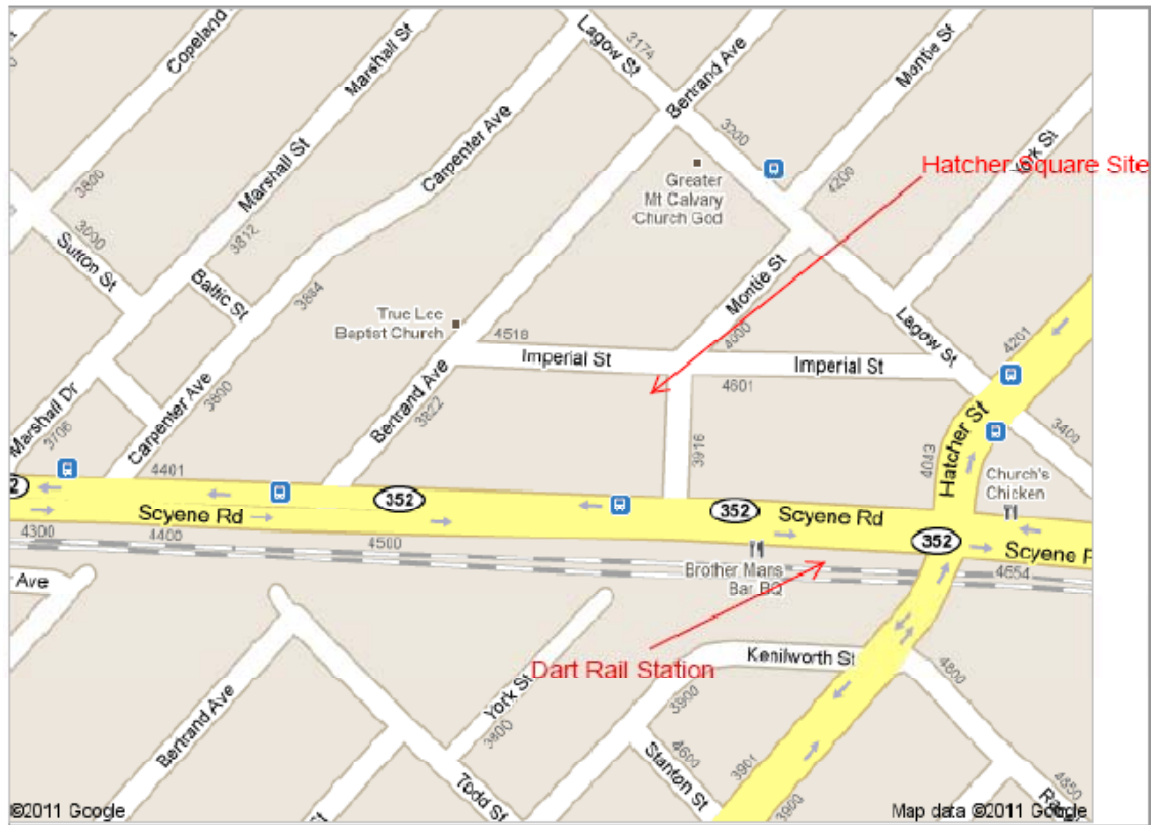
(Select All That Apply)

- ☒ A site located within one-quarter mile of public transportation that is accessible to all residents including Persons with Disabilities. A map that shows the location of the public transportation stop and a one-quarter mile radius around the Development Site must be provided.
- ☐ A site located within a community that has another form of transportation, including, but not limited to, special transit service or specialized elderly transportation for Qualified Elderly Developments. A description of the specific form of transportation to be used and/or any cost of funding such transportation service, if applicable, must be provided.
- ☐ A site located within a one mile radius (two-mile radius for Developments competing for a Rural Regional Allocation) of at least three services appropriate to the target population will receive four points. Only one service of each type listed below will count towards the points. **A map must be included identifying the one or two-mile radius, the Development Site and the location of the services.** The services must be identified by name on the map. If the services are not identified by name, points will not be awarded. By checking the boxes below, the Applicant certifies that all services currently exist or, if under construction, must be under active construction, post paid by the date the Application is submitted.
- ☐ Full service grocery store or supermarket
 - ☐ Pharmacy
 - ☐ Convenience Store/Mini-market
 - ☐ Department or Retail Merchandise Store
 - ☐ Bank/Credit Union
 - ☐ Restaurant (including fast food)
 - ☐ Indoor public recreation facilities, such as civic centers, community centers, and libraries
 - ☐ Outdoor public recreation facilities such as parks, golf courses, and swimming pools
 - ☐ Hospital/medical clinic
 - ☐ Medical offices (physician, dentistry, optometry)
 - ☐ Public Schools (only eligible for Developments that are not Qualified Elderly Developments)
 - ☐ Senior Center



REMEMBER TO SUBMIT YOUR EVIDENCE BEHIND THIS FORM

Volume 4, Tab 21



0.0 mi 1 Depart 4110 Hatcher St, Dallas, TX 75210 on SR-352 [Scyene Rd] (West) for 0.2 mi
0.2 mi Bear RIGHT (North-West) onto Local road(s) for 32 yds
0.2 mi 2 Arrive 3800 Bertrand Ave, Dallas, TX 75210

Volume 4, Tab 24**QUALIFIED CENSUS TRACTS with COMMUNITY REVITALIZATION PLAN (§49.9(a)(24))**

Applications may qualify to receive 1 point for this item if the Development is located within a Qualified Census Tract and contributes to a concerted Community Revitalization Plan

11-Digit Census Tract Number: 48113002702

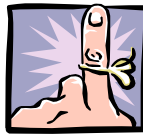
Is this a Qualified Census Tract? **Yes** (confirm using list of *2011 Qualified Census Tracts* in the Reference Manual)

Evidence to be provided includes one of the following:

☒ A letter from the Appropriate Local Official stating there is a Community Revitalization Plan in effect and the Development is within the area covered by the plan.

OR

☐ If the Community Revitalization Plan has specific boundaries, a copy of the Plan adopted by the jurisdiction or its designee and a map showing that the Development is within the area covered by the Community Revitalization Plan.



REMEMBER TO SUBMIT YOUR EVIDENCE BEHIND THIS FORM



January 20, 2011

Michael Gerber
Executive Director
Texas Department of Housing and Community Affairs
P.O. Box 13941
Austin, TX 78711-3941

Re: Hatcher Square - Scyene Road/Hatcher Boulevard

Dear Mr. Gerber:

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The property is located within Census Tract 27.02, Block Group 3 which is a low-moderate income census tract as defined by the Department of Housing and Urban Development and the U.S. Census. The provision of affordable housing is a priority for the City of Dallas and this priority has been adopted in the City's Consolidated Plan which acts as the Community Revitalization Plan.

Please feel free to contact me at (214) 670-3619 should you have any questions or need more information.

Sincerely,


FCI Bernadette M. Mitchell,
Assistant Director
Housing/Community Services Department

Volume 4, Tab 26**LEVERAGING OF PRIVATE, STATE AND FEDERAL RESOURCES (§49.9(a)(26)) (cont.)**☐ **Development Based Rental Subsidy**

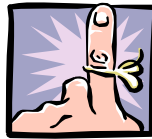
Development based rental subsidies from private, state or federal resource may qualify under this section if evidence of the remaining value of the contract is submitted from the source. In this case, the value of the contract does not include past subsidies

Total Amount of Remaining Subsidy (August 1, 2011 through expiration of contract):

3. Evidence of Funding. One of the following must be submitted.

☐ Copy of commitment of funds. The commitment must include a statement that the provider of funds is not the Applicant, the Developer, Consultant, Related Party or any individual or entity acting on behalf of the proposed Application and that none of the funds committed were first provided to the entity by the Applicant, the Developer, Consultant, Related Party or any individual or entity acting on behalf of the proposed Application, unless the Applicant itself is a Unit of General Local Government or Governmental Instrumentality.

☒ Copy of the application to the funding entity and a letter from the funding entity indicating that the application was received. The Application should include the amount and terms of the proposed funding. For in-kind contributions and development based rental subsidies, a letter from the funding entity substantiating the anticipated value must be provided.



REMEMBER TO SUBMIT YOUR EVIDENCE BEHIND THIS FORM

FRAZIER HS, LP | HATCHER SQUARE PROJECT
Frazier Revitalization, Inc

1409 S. Lamar Street, Suite 201 | Phone 469.221.0704 | Fax 469-587-7391

January 17, 2011

Bernadette Mitchell, Assistant Director
City of Dallas Housing/Community Services Department Dallas City Hall
1500 Marilla Street, Room 6D North
Dallas, TX 75201

Re: Hatcher Square (TDHCA #11098)

Dear Ms. Bernadette Mitchell,

In response to your letter of January 13th, 2011, regarding the Frazier HS, LP Hatcher Square project being developed by Carleton Residential, LTD., and ourselves I have enclosed a copy of the Hatcher Square pre application to the Texas Department of Housing and Community Affairs along with the requested \$1,000 fee.

The City's commitment to this project has resulted in a loan of \$1,025,000 to Frazier Revitalization, Inc and its subsidiary Frazier HS, LP of the anticipated 1.5 million commitments. To date, the development teams have initiated all activities from site assessment, demolition, and market research through engaging architects, engineers and zoning specialist. With that stated, we would like to determine the next steps in addressing the balance above committed fund to address the LIHTC project. As required for the LIHTC application, we would like this letter to serve as our official application for the additional \$475,000 of City of Dallas funds. We would ask that the additional \$475,000 have the same terms as the original \$1,025,000 loan.

We have engaged Kirk Williams and Tommy Mann of Winstead PC to assist us in assessing the current zoning condition and requirements. Where required, we will be filing a rezoning application to bring the entire development within a single zoning classification known as a planned development district ("PD"). The PD will allow the proposed retail and multifamily uses, as well as provide development standards for the ultimate (for example: height, maximum density, setback, general building footprints, etc.).

We look forward to providing any additional information you may need. If you have questions, feel free to call me at 469.221.0713 or Jeff Fulenchek of Carleton Development, LTD at 972-980-9810, ext. 104. Thank you for your time on this matter.

Sincerely,



Jon Edmonds, President

Cc: Printice Gary and Jeff Fulenchek, Carleton Residential



TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS

Building Homes. Strengthening Communities.

2012 Competitive Housing Tax Credit Application Certification

Mailing Address: P.O. Box 13941, Austin, TX 78711-3941

Physical Address: 221 East 11th Street, Austin, TX 78701

Development Name: Hatcher Square

Development City: Dallas

The undersigned hereby makes an Application to Texas Department of Housing and Community Affairs. The Applicant affirms that they have read and understand the 2012-2013 Qualified Allocation Plan (QAP), and in particular understands the requirements under §50.12(a) of the QAP, Adherence to Obligations, as well as Internal Revenue Code Section 42. By signing this document, Applicant is affirming that all statements and representations made in this document, including all supporting materials, are true and correct under penalty of Chapter 37 of the Texas Penal Code titled Perjury and Other Falsification and subject to criminal penalties as defined by the State of Texas. TEX. PENAL CODE ANN. §1.01 - §71.05 et seq. (VERNON 2003 & SUPP. 2007).

By: _____

[Signature]
Signature of Applicant

Dorothy Hopkins

Printed Name

2-28-12
Date

STATE OF: Texas

COUNTY OF: Dallas

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Dorothy Hopkins whose name is signed to the foregoing statement, and who is known to be one in the same, has acknowledged before me on this date, that being informed of the contents of this statement, executed the same voluntarily on the date same foregoing statement bears.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this

28

day of

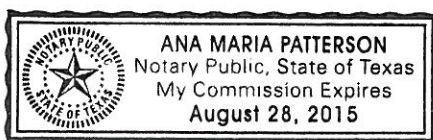
February

2012

(Seal)

[Signature]

Notary Public Signature



Notary Public, State of

Texas

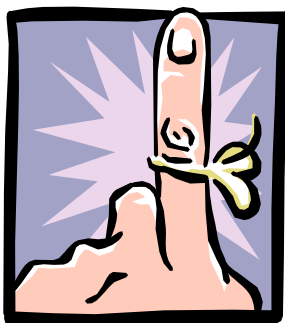
County of

Dallas

My commission expires:

RESOLUTIONS

PLACE ANY RESOLUTIONS BEHIND THIS TAB





February 27, 2012

Jean Latsha
Competitive Tax Credit Program Manager
Texas Dept. of Housing & Community Affairs
P. O. Box 13941
Austin, TX 78711-3941

Dorothy Hopkins
Frazier HS, LP
P.O. Box 796368
Dallas, TX 75379

Re: Compliance and Eligibility with §50.9(b)(5) and §50.9 (b)(12) of the 2012-2013 QAP for the Hatcher Square Project - File #12159

Dear Ms. Latsha:

Pursuant to §50.9(b)(5) and §50.9(b)(12) of the TDHCA 2012-2013 Qualified Allocation Plan (QAP), this letter is being sent to you to demonstrate the City of Dallas' ("City") support of the TDHCA 9% Low Income Housing Tax Credit (LIHTC) allocation for Hatcher Square project located at 4600 Scyene Road for the acquisition and new construction of the proposed 136-unit multifamily residential development for low income families. On February 22, 2012, the Dallas City Council voted to formally support the Hatcher Square project by Resolution No. 12-0601 which is attached.

The Dallas City Council provided a "Commitment of Development Funding" pursuant to §50.9(b)(5) and §50.9(b)(12) and approved an amount not to exceed \$1,025,000 in local funds in support of this project on February 14, 2007 by Resolution No.07-0522 and on December 8, 2010 by Resolution No.10-3080. The funds being provided to the Hatcher Square project from the City were not first provided to the City by the applicant, developer, consultant, related party, or any individual or entity acting on behalf of the Hatcher Square applicant.

The Dallas City Council has also provided an additional "Commitment of Development Funding" pursuant to §50.9(b)(5) and §50.9(b)(12) by accepting a letter from the developer applying for additional City resources in an amount of \$475,000. The City of Dallas has identified those funds as HOME Investment Partnership and local funds. This funding will be reviewed and considered by the City Council by August 1, 2012 and is contingent upon available funding and the success of the applicant to secure other project approvals, including Low Income Housing Tax Credits. The proposed loans will be at least 100 basis points below the current market rate given comparable terms (**term of at least three (3) years**) and origination fees will be at or below 2% of the loan amount.

Jean Latsha
February 27, 2012
Page 2

It is our understanding that this letter accompanied by the Dallas City Council Resolution is due in your office by March 1, 2012 in order for Hatcher Square's application to be considered for the 9% LIHTC allocation.

If you need additional information, please contact Bernadette Mitchell, Assistant Director, at (214) 670-3619.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Killingsworth". The signature is fluid and cursive, with a large initial "J" and "K".

Jerry Killingsworth, Director
Housing/Community Services Department

Attachment

- c: Cameron Dorsey, Multifamily Housing Director, TDHCA
Bernadette M. Mitchell, Assistant Director, Housing/Community Services Department
Etoria Anderson, Coordinator IV, Housing/Community Services Department



STATE OF TEXAS §
COUNTY OF DALLAS §
CITY OF DALLAS §

I, **ROSA A. RIOS**, Acting City Secretary of the City of Dallas, Texas, do hereby certify that the attached is a true and correct copy of:

RESOLUTION NO. 12-0601

which was passed by the Dallas City Council on **February 22, 2012**.

WITNESS MY HAND AND THE SEAL OF THE CITY OF DALLAS, TEXAS, this the **24th** day of **February, 2012**.



ROSA A. RIOS
ACTING CITY SECRETARY
CITY OF DALLAS, TEXAS

PREPARED BY: JA

COUNCIL CHAMBER
120601
February 22, 2012

WHEREAS, on February 10, 2010, the City Council approved a modification to the policy for the acceptance of applications seeking City of Dallas support for low income housing tax credit financing, when the State of Texas does not require direct City of Dallas approval by Resolution No. 10-0498; and

WHEREAS, the Applicant, Dorothy Hopkins, ("the Applicant"), submitted an application to the City of Dallas on behalf of Frazier HS LP, for support of their application to TDHCA for the 2012 Low Income Housing Tax Credit Program; and

WHEREAS, on February 6, 2012 and February 21, 2012, the Hatcher Square Low Income Housing Tax Credit multifamily project was briefed to the Housing Committee; and

WHEREAS, the applicant was approved for \$1.025M on February 14, 2007 and December 8, 2010 in support of this project and the applicant also has submitted an additional request for funding of \$475,000 from the City of Dallas which will be reviewed and separately considered by the City Council by August 15, 2012, contingent upon available funding and the success of the applicant to secure other project approvals; and

WHEREAS, as a condition for being considered for the award of the 9% tax credit, the Applicant has committed to renting 136 units or 100% of the units to tenants with household incomes 60% or below the area median family income (AMFI) with rents affordable to tenants whose household incomes are 60% or below the AMFI; and

WHEREAS, as with the City of Dallas' funding and endorsement of the TDHCA LIHTC application for Hatcher Square, the owner of the project will provide social services with the project approved by the Housing/Community Services Department, if the owner is utilizing City funding in the financing of the low income housing tax credit project; and

WHEREAS, the City of Dallas desires to provide approval of the TDHCA LIHTC application for the Hatcher Square project located at 4600 Scyene Road; **NOW, THEREFORE**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

COUNCIL CHAMBER

120601

February 22, 2012

SECTION 1. That the City of Dallas supports the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit allocation for Hatcher Square project located at 4600 Scyene Road for the acquisition and new construction of the proposed 136-unit multifamily residential development for low income family housing.

SECTION 2. The applicant was approved for \$1.025M on February 14, 2007 and December 8, 2010 in support of this project and the applicant also has submitted an additional request for funding of \$475,000 from the City of Dallas which will be reviewed and separately considered by the City Council by August 15, 2012, contingent upon available funding and the success of the applicant to secure other project approvals.

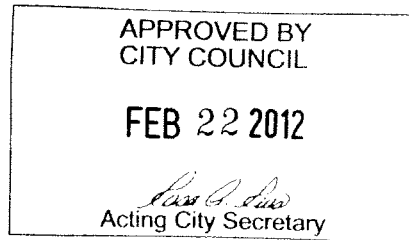
SECTION 3. That the City of Dallas' funding and endorsement of the TDHCA LIHTC application for Hatcher Square will be contingent on the following if the owner is utilizing City funding in financing of the low income housing tax credit project: (1) the Project Owner expending a minimum of \$40,000 (a minimum of \$40,000 or \$200 per unit per year, whichever is greater) for social services for, and at no cost to, the residents of the development, based on a survey of residents needs, to be implemented within three months of project completion; (2) inclusion of this requirement in the Land Use Restriction Agreement (LURA) by the Texas Department of Housing and Community Affairs (TDHCA) and the City's Deed Restrictions containing the social services requirement; and, (3) if the LURA does not require the social services expenditures to be made prior to debt service payment, a separate guarantee by an entity or individual acceptable to the City that the social services expenditures will be made. Up to 50% of the social service requirement can be fulfilled with in kind social services provided the Housing/community services department gives prior approval of the social service plan.

SECTION 4. That prior to receiving a conditional City of Dallas building permit required by TDHCA prior to closing on the tax credits, the Project Developer will consult with the City of Dallas Sustainable Development and Construction Department with regard to security related design standards.

SECTION 5. That the City of Dallas funding and endorsement for this project will be contingent on the Project Owner paying to the City an annual monitoring review fee in the amount of \$500, beginning on the anniversary of the closing on the 9% tax credits and ending at the end of the tax credit compliance period, for the cost of monitoring compliance with the social service requirement, if the Project Owner is utilizing City funding in the financing of the low income housing tax credit project.

COUNCIL CHAMBER
120601
February 22, 2012

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

FEBRUARY 14, 2007

07-0522

Item 60: Authorize (1) the establishment of a Frazier-Scyene Economic Development Program, pursuant to Chapter 380 of the Texas Local Government Code to make loans and grants to promote local economic development and to stimulate business and commercial activity in the Frazier-Scyene area; and (2) the execution of a conditional grant agreement with Frazier Revitalization, Inc. to provide funding for the acquisition of improved and unimproved properties and the demolition of existing structures in accordance with the Frazier-Scyene Economic Development Program - Not to exceed \$750,000 - Financing: Public/Private Partnership Funds

Councilmember Chaney announced that he had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Chaney left the city council chamber.

Councilmember Hunt moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Oakley absent on city business; Fantroy absent)

COUNCIL CHAMBER

070522
February 14, 2007

WHEREAS, the City of Dallas seeks to support economic growth in the Southern area of the city and economic development in connection with transit-oriented developments; and

WHEREAS, the City of Dallas wishes to establish the Frazier-Scyene Economic Development Program to make loans and grants pursuant to Chapter 380 of the Texas Local Government Code to promote local economic development and to stimulate business and commercial activity in the Frazier-Scyene area; and

WHEREAS, the City of Dallas wishes to enter into an economic development grant agreement with Frazier Revitalization, Inc. in an amount not to exceed \$750,000 for development of the Frazier-Scyene area in accordance with the Frazier-Scyene Economic Development Program; and

WHEREAS, the City Council finds that it is in the best interest of the City to enter into this conditional grant agreement as part of the City's ongoing program to promote local economic development and to stimulate business and commercial activity in the city, in particular, the Frazier-Scyene area; and

WHEREAS, on December 20, 2006, Frazier Revitalization, Inc. submitted a proposal requesting \$750,000 for the acquisition of improved and unimproved properties, and the demolition of existing structures in the Frazier-Scyene area for the development of commercial, retail, residential, and mixed use development; and

WHEREAS, the City will grant up to 50% of the required equity participation, demolition of existing structures and related acquisition costs; and

WHEREAS, on January 16, 2007, the Economic Development and Housing Committee was briefed on current development initiatives in the Frazier-Scyene area, and the City's efforts to support economic development within the Frazier-Scyene area; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the Frazier-Scyene Economic Development Program (attached herein as Exhibit A) is hereby established and approved to make loans and grants to promote local economic development and to stimulate business and commercial activity in the Frazier-Scyene area.

APPROVED _____ APPROVED _____ APPROVED _____
HEAD OF DEPARTMENT CITY CONTROLLER CITY MANAGER

COUNCIL CHAMBER

070522

February 14, 2007

Section 2. That the City Manager or designee, upon approval as to form by the City Attorney, is hereby authorized to execute a grant agreement with Frazier Revitalization, Inc., (FRI) in an amount not to exceed \$750,000 for the acquisition of certain improved and unimproved properties and the demolition of certain deteriorated and underutilized structures bounded generally by Scyene, Hatcher, Lagow, and Bertrand Streets (attached herein as Exhibit B) (the "Property") and located within the Frazier-Scyene area in support of FRI's new mixed-use development.

Section 3. That the grant agreement is hereby expressly made subject to all of the following contingencies which must be performed or occur:

A. FRI will invest a minimum of \$500,000 into the Project including the purchase price for the Property.

B. Phase I of the project shall contain in a minimum of 10,000 square feet of commercial and space.

C. FRI shall complete construction and obtain a certificate of occupancy for the Project by January 1, 2015.

D. FRI shall execute and fund an operating and maintenance agreement for all non-standard public improvements installed as a part of the project.

E. FRI shall comply with the City's M/WBE Good Faith Effort policy with a goal of 20% participation for all construction work on the Project.

F. FRI shall cause the residential portion of the Project to be marketed pursuant to the City's Affirmative Fair Housing Marketing Plan.

G. FRI shall make best efforts to promote the hiring of neighborhood residents for any new jobs created and shall create a minimum of 1 new job per \$100,000 of City funds.

Section 4. That the grant agreement with FRI may be transferred with City Manager approval or designee.

Section 5. That the City Manager or designee is authorized to make adjustments to the grant agreement.

APPROVED _____ APPROVED _____ APPROVED _____
HEAD OF DEPARTMENT CITY CONTROLLER CITY MANAGER

COUNCIL CHAMBER

070522

February 14, 2007

Section 6. That the Controller be authorized to encumber and disburse funds in accordance with the terms and conditions of the grant agreement as follows:

Frazier Revitalization, Inc. Vendor # VS0000017015

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>CT</u>	<u>AMOUNT</u>
0352	ECO	P151	3099	ECOP151D036	\$750,000

Section 7. That this resolution shall take effect immediately from and after its passage in accordance with provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:

Housing Department
City Attorney's Office
Office of Financial Services/Community Development, 4FS

APPROVED BY
CITY COUNCIL

FEB 14 2007

Deborah M. Williams
City Secretary

APPROVED

Charles Brice
HEAD OF DEPARTMENT

APPROVED

Sam King
CITY CONTROLLER

APPROVED

[Signature]
CITY MANAGER

COUNCIL CHAMBER

103080

December 8, 2010

WHEREAS, the City of Dallas seeks to support economic growth in the Southern area of the city, and economic development in connection with transit-oriented developments; and

WHEREAS, the City of Dallas has established the Frazier-Scyene Economic Development Program to make loans and grants pursuant to Chapter 380 of the Texas Local Government Code to promote local economic development and to stimulate business and commercial activity in the Frazier-Scyene area; and

WHEREAS, the City Council approved a grant agreement with Frazier Revitalization, Inc., (FRI) in an amount not to exceed \$750,000 for the acquisition of certain improved and unimproved properties and the demolition of certain deteriorated and underutilized structures bounded general by Scyene, Hatcher, Lagow, and Bertrand Streets located within the Frazier-Scyene area on February 14, 2007 through Resolution No. 07-0522; and,

WHEREAS, Frazier Revitalization, Inc (FRI) has requested \$275,000 in additional funds for environmental remediation and demolition and requested an assignment of the grant agreement with all related terms to Frazier HS, LP; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the City Manager or designee, upon approval as to form by the City Attorney, is hereby authorized to amend Resolution No. 07-0522, previously approved on February 14, 2007, (1) to allow the assignment of the agreement to Frazier HS, LP; and, (2) an increase in the grant amount with Frazier HS, LP to further environmental remediation and demolition in the Frazier-Scyene area in the amount of \$275,000 from \$750,000 to \$1,025,000.

Section 2. That the grant agreement is hereby expressly made subject to all of the following contingencies which must be performed or occur:

- A. Frazier HS, LP will invest a minimum of \$500,000 into the Project including the purchase price for the Property
- B. Phase I of the project shall contain in a minimum of 10,000 square feet of commercial space
- C. Frazier HS, LP shall complete construction and obtain a certificate of occupancy for the Project by January 1, 2015
- D. Frazier HS, LP shall execute and fund an operating and maintenance agreement for all non-standard public improvements installed as a part of the Project
- E. Frazier HS, LP shall comply with the City's M/WBE Good Faith Effort policy with a goal of 20% participation for all construction work on the Project

COUNCIL CHAMBER

103080

December 8, 2010

- F. Frazier HS, LP shall cause the residential portion of the Project to be marketed pursuant to the City's Affirmative Fair Housing Marketing Plan
- G. Frazier HS, LP shall make its best efforts to promote the hiring of neighborhood residents for any new jobs created, and shall create a minimum of 1 new job per \$100,000 of City Funds.

Section 3. That the Controller is hereby authorized to encumber and disburse funds in accordance with the terms and conditions of the contracts as follows:

Frazier HS, LP Vendor # VS0000060090

Fund 8T52, Dept HOU, Unit T807 , Obj 3099,
CT HOUT807C500 - in an amount not to exceed \$275,000

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:

Housing/Community Services Department
City Attorney's Office
Office of Financial Services/Community Development, 4FN

APPROVED BY
CITY COUNCIL

DEC 8 2010

Rebecca W. Williams
City Secretary

ACTIVITY OVERVIEW

1. Multifamily Rental Development Name and Location

Development Name: Hatcher Square Region: 3
 Address: Northwest corner of Scyene Road and Hatcher Blvd.
 City: Dallas County: Dallas ZIP: 75210
 If a Pre-Application was submitted, enter TDHCA assigned Development number: 12159

2. Target Population

General

3. Construction Type

☒ New Construction ☐ Acquisition/Rehabilitation (excluding Reconstruction)
☐ Adaptive Reuse ☐ Acquisition/Rehabilitation (including Reconstruction)

APPLICANT INFORMATION

Provide the contact information for the Applicant's staff person who is responsible for Application and contract administration. This primary contact will not be the consultant or the end service provider.

1. Applicant Contact Information

Applicant Legal Name: Frazier HS, LP
 Applicant Contact Name: Dorothy Hopkins
 Mailing Address: P.O. Box 796368
 City: Dallas State: Texas Zip: 75379
 Phone: 469-221-0682 Fax: 469-221-0690 Email: dorothy@jmwilliamsgroup.com

If Applicant's "Physical Address" is different from the "Mailing Address," provide physical address below:

Physical Address: 5646 Milton Street, Suite #407
 City: Dallas State: Texas Zip: 75206
 2nd Contact Name: Will Henderson
 Phone: 214-377-6558 Fax: 972-980-1559 Email: whenderson@carletonrp.com

2. Applicant Legal Description

Is Applicant Legally formed? Yes
 Legal form of Applicant is/will be a (select only one): Limited Partnership
 Other Designation (select all that apply):

 Applicant is in good standing with the Secretary of State? Yes State Filing #: 801362801

3. Application Technical Assistance and Capacity Building

Has the Applicant or its Principals received technical assistance or capacity building training for their organization in completing this Application or for the activity for which this Application is being made? Yes

If "Yes" it was sponsored by: TDHCA
 If "Other Sponsor" provide name here:
 The activity was:
 If "Other" describe activity here:
 Was a Consultant or Administering Agent used to complete the Applicant? No
 If "Yes" provide Consultant/Agent Name here:
 Phone: Fax: Email:

FUNDING REQUEST

Development Name: Hatcher SquareDevelopment City: Dallas**1. Program Allocation and Set-Aside**

Next to the program name, select the box (by placing a "x") to indicate under which allocation and set-aside or set-asides this Application will be made.

TDHCA Program for which the Application will be used	Set-Aside								
	Rural	Urban	At-Risk	Non-Profit	CHDO	USDA	Persons w/Disabilities	Preservation	General
TDHCA HOME					<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Housing Tax Credit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>			<input checked="" type="checkbox"/>
Private Activity Mortgage Revenue Bond	<input type="checkbox"/>	<input type="checkbox"/>							

2. Program Eligible Activities

Select the boxes (by placing a "x") next to the program name to indicate the activities this Application will fund.

TDHCA Program for which the Application will be used	New Construction	Acquisition	Rehabilitation (excluding Reconstruction)	Rehabilitation (including Reconstruction)	Adaptive Reuse
TDHCA HOME	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Housing Tax Credit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Private Activity Mortgage Revenue Bond	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Stabilization Program (NSP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Funding Request

Complete the table below to describe this Application's funding request.

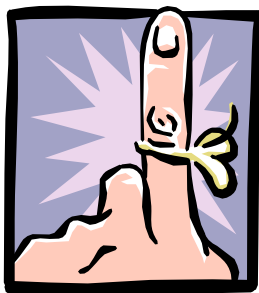
TDHCA Program for which the Application will be used	Requested Amount	If the award will be in the form of a loan, the requested terms are:		
		Interest Rate (%)	Amortization (Yrs)	Term (Yrs)
TDHCA HOME				
CHDO Operating Expense				
Housing Tax Credit	\$1,650,000			
Private Activity Mortgage Revenue Bond				
Neighborhood Stabilization Program (NSP)				

4. Previously Awarded State and Federal Funding

- Has this site/activity previously received TDHCA funds? No
 - If "Yes" enter Project # and TDHCA funding source
- Has this site/activity previously received non-TDHCA federal funding? No
- Will this site/activity receive non-TDHCA federal funding for costs described in this Application? No

DEVELOPMENT NARRATIVE

Place Development Narrative behind this tab



Development Narrative

Hatcher Square is a new construction development located on 4.19 acres in Dallas, Texas at the Northwest corner of Scyene Road and Hatcher Boulevard. It will have 136 units of LIHTC units and approximately 10,000 square feet of commercial and retail space. It will target families with AMIs at or below 60%. Fourteen (14) of these units (10%) will be targeted to families at 30% AMI, 55 units (40%) will be 50% AMI, and 67 units (49%) will be leased to families at 60% AMI or below. There will be five physical building as shown in the Unit Configuration worksheet. The development will have the following unit mix:

# of Units (A)	# of Bedrooms	# of Baths	Unit Size (Net Rentable Sq. Ft.) (B)	Total Net Rentable Sq. Ft. (A) x (B)
32	1	1.00	700	22,400
59	2	2.00	990	58,410
7	2	2.00	1,141	7,987
7	2	2.00	1,189	8,323
31	3	2.00	1,386	42,408
136				139,528

In addition to the residential units, there will be approximately 10,000 square feet of commercial/retail space for rent and a 3,651 community/leasing center.

SITE INFORMATION FORMDevelopment Name: Hatcher SquareDevelopment City: Dallas**1. ZONING**Is the site currently zoned for the intended use? Yes The current zoning designation is: PD-849

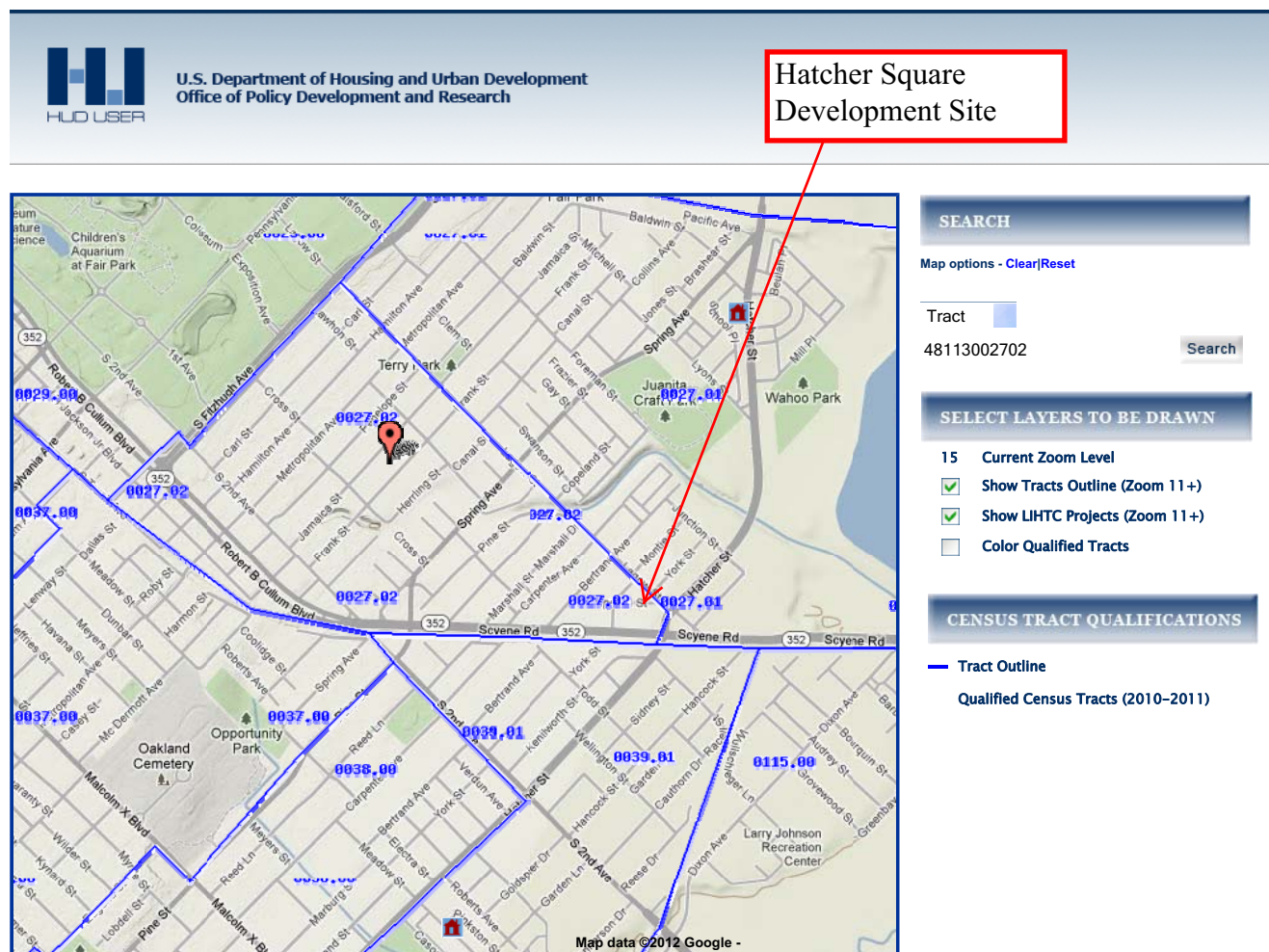
If "No" explain what steps have been taking to obtain zoning approval.

NA**2. CENSUS TRACT DESIGNATION**11 Digit Census Tract Number: 48113002702Is this a Qualified Census Tract? Yes**3. FLOOD ZONE DESIGNATIONS**Select the current Flood Zone designation from the list: Zone X (shaded)If "Other" is selected describe designation: NA**4. CONTROL AND ACQUISITION INFORMATION**To the best of the Applicant's knowledge has this site been proposed for a previous TDHCA Application? YesIf "Yes", what was the: Application Year: 2011 TDHCA #: 11098 TDHCA Program: Housing Tax Credit- 9%Site Control is a: ☒ Warranty Deed w/ settlement statement (unless identity of interest)☐ Contract for Deed ☒ Purchase Option☐ Contract for Lease ☐ Option to Lease

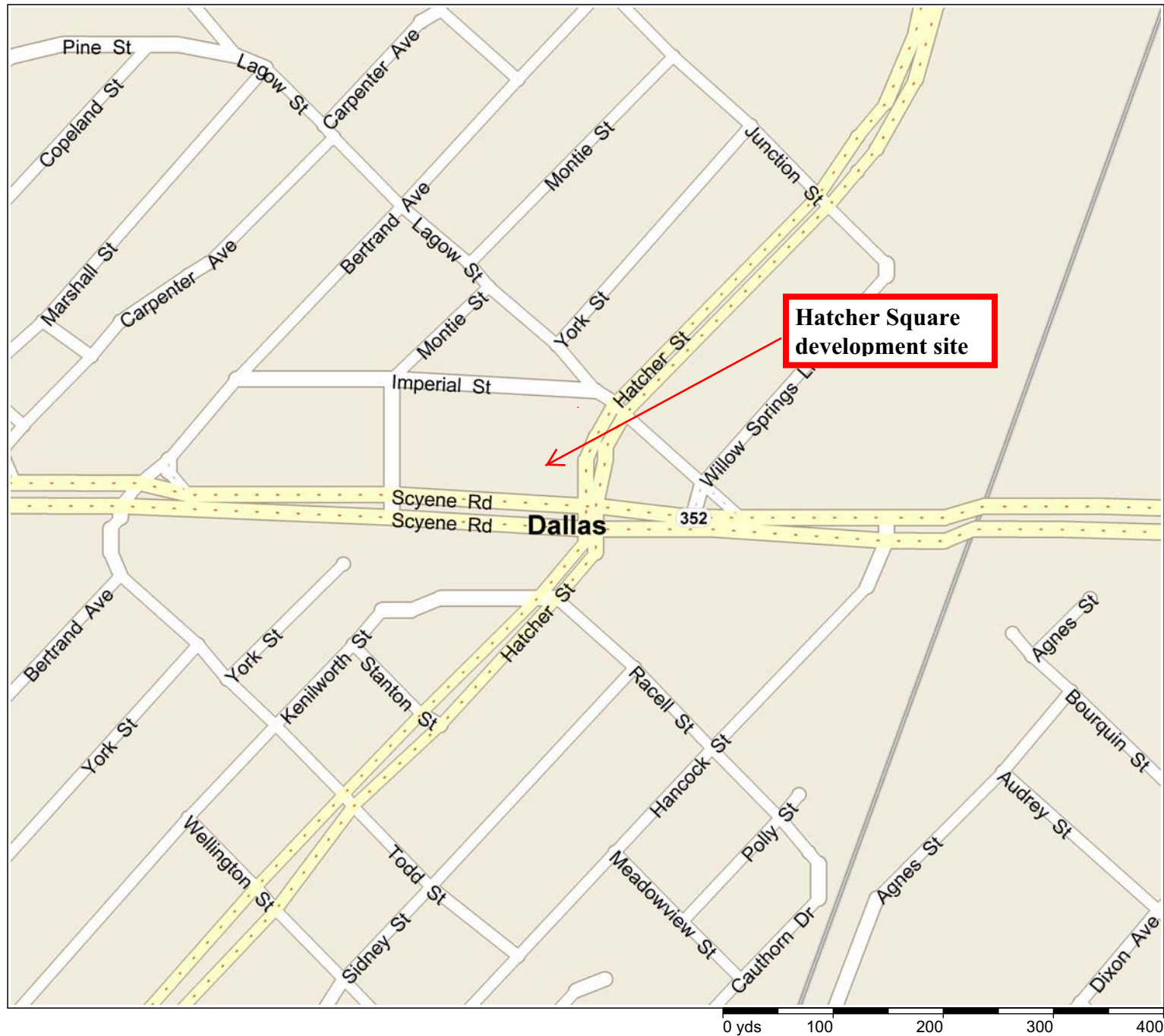
Expiration Date of:

Contract or Option: 3/31/2013 Feasibility Contingency: NA Financing Contingency: NAAcquisition Cost: \$2,384,757 Anticipated/Actual Closing Date: 12/1/2012Seller Name: Frazier Revitalization, Inc. & True Lee Missionary Baptist ChurchAddress: Please see individual options City: State: Zip: Is the seller affiliated with the Applicant, principal, sponsor, or any development team member? YesIf "Yes", please explain: Frazier Revitalization, Inc. is affiliate. These properties will be transferred at cost.Did the seller acquire the property through foreclosure or deed in lieu of foreclosure? No**Applicant or Applicant Representative Reminder:**All of the sellers of the proposed Property for the 36 months prior to the first day of the Application Acceptance Period **and** their relationship, if any, to members of the Development team **MUST BE IDENTIFIED BEHIND THIS PAGE.****Remember to place a census tract map AND a street level map behind this form**

Hatcher Square QCT Map



Version 5.0



Competitive HTC Application Self-Score Form

Instructions: Complete the following form and indicate all points requested for this Application. All evidence as required by §50.9(b) of the 2012 QAP must be submitted as outlined in the Application Submission Procedures Manual.

Development Name: Hatcher Square

City: Dallas

§50.9(b)	Point Category	Points Requested
(1)	Financial Feasibility (28 points max)	28
(2)	Quantifiable Community Participation (Points Not Requested in Self Score)	N/A
(3)	The Income Levels of Tenants of the Development (22 points max)	22
(4)(A)	Size of the Units (6 points max)	6
(4)(B)	Quality of the Units (14 points max)	14
(5)	The Commitment of Development Funding by Units of General Local Government (18 points max)	18
(6)	Community Support from State Representative or State Senator (points not requested in self score)	N/A
(7)	The Rent Levels of the Units (14 points max)	14
(8)	The Cost of the Development by Square Foot (12 points max)	12
(9)	Tenant Services (10 points max)	10
(10)	Declared Disaster Areas (8 points)	8
(11)	Additional Evidence of Preparation to Proceed (7 points max)	7
(12)	Leveraging of Private, State, and Federal Resources (7 points maximum)	6
(13)	Community Input other than Quantifiable Community Participation (points not requested in self score)	N/A
(14)	Pre-application Participation Incentive Points (6 points)	6
(15)	Developments in Census Tracts with Limited Existing HTC Developments (6 points maximum)	6
(16)	Development Location (4 points maximum)	4
(17)	Tenant Populations with Special Housing Needs (4 points)	4
(18)	Length of Affordability Period (4 points maximum)	4
(19)	Site Characteristics (4 points maximum)	1
(20)	Repositioning of Existing Developments (3 points maximum)	0
(21)	Sponsor Characteristics (2 points maximum)	2
(22)	Economic Development Initiatives (1 point)	1
(23)	Community Revitalization or Historic Preservation (1 point)	1
(24)	Developments Intended for Eventual Tenant Ownership- Right of First Refusal (1 point)	1
Total Points Requested:		175

(NOTE: Points added or deducted pursuant to §§50.9(b)(2), (6) and (13) are not included in this calculation.)



February 27, 2012

Jean Latsha
Competitive Tax Credit Program Manager
Texas Dept. of Housing & Community Affairs
P. O. Box 13941
Austin, TX 78711-3941

Dorothy Hopkins
Frazier HS, LP
P.O. Box 796368
Dallas, TX 75379

Re: Compliance and Eligibility with §50.9(b)(5) and §50.9 (b)(12) of the 2012-2013 QAP for the Hatcher Square Project - File #12159

Dear Ms. Latsha:

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The Dallas City Council provided a "Commitment of Development Funding" pursuant to §50.9(b)(5) and §50.9(b)(12) and approved an amount not to exceed \$1,025,000 in local funds in support of this project on February 14, 2007 by Resolution No.07-0522 and on December 8, 2010 by Resolution No.10-3080. The funds being provided to the Hatcher Square project from the City were not first provided to the City by the applicant, developer, consultant, related party, or any individual or entity acting on behalf of the Hatcher Square applicant.

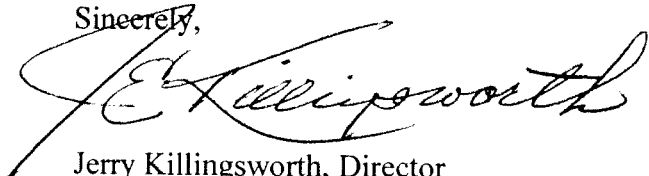
The Dallas City Council has also provided an additional "Commitment of Development Funding" pursuant to §50.9(b)(5) and §50.9(b)(12) by accepting a letter from the developer applying for additional City resources in an amount of \$475,000. The City of Dallas has identified those funds as HOME Investment Partnership and local funds. This funding will be reviewed and considered by the City Council by August 1, 2012 and is contingent upon available funding and the success of the applicant to secure other project approvals, including Low Income Housing Tax Credits. The proposed loans will be at least 100 basis points below the current market rate given comparable terms (**term of at least three (3) years**) and origination fees will be at or below 2% of the loan amount.

Jean Latsha
February 27, 2012
Page 2

It is our understanding that this letter accompanied by the Dallas City Council Resolution is due in your office by March 1, 2012 in order for Hatcher Square's application to be considered for the 9% LIHTC allocation.

If you need additional information, please contact Bernadette Mitchell, Assistant Director, at (214) 670-3619.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Killingsworth". The signature is fluid and cursive, with a large initial "J" and "K".

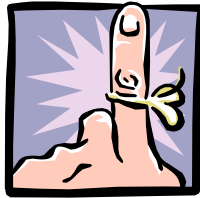
Jerry Killingsworth, Director
Housing/Community Services Department

Attachment

- c: Cameron Dorsey, Multifamily Housing Director, TDHCA
Bernadette M. Mitchell, Assistant Director, Housing/Community Services Department
Etoria Anderson, Coordinator IV, Housing/Community Services Department

DEVELOPMENT LOCATION

Place evidence for these points behind this placeholder tab. Read the Multifamily Applications Procedures Manual for detailed information regarding the evidence required.





February 1, 2012

Tim Irvine, Executive Director
TDHCA - Multifamily Finance Division
P. O. Box 13941
Austin, TX 78711- 3941

Re: Hatcher Square - TDHCA #12159

Dear Mr. Irvine:

This letter is to demonstrate compliance and eligibility pursuant to §50.9(b)(16) of TDHCA 2012 Qualified Allocation Plan. We are affirming that the proposed development (Hatcher Square) is located within the specific geographic area (Census Tract #48113002702) covered by the South Dallas/Fair Park Neighborhood Investment Program, which was approved by Dallas City Council Resolutions 08-2559 and 10-2374 on September 24, 2008 and September 22, 2010.

Please feel free to contact me at (214) 670-3619 should you have any questions or need more information.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Bernadette M. Mitchell'.

Bernadette M. Mitchell, Assistant Director
Housing/Community Services Department

c: Cameron Dorsey, Director of Housing Tax Credits, TDHCA
Dorothy Hopkins, Williams Group



[Home](#) | [311 Info & Services](#) | [Community & Culture](#) | [Business](#) | [Government](#) | [Visitors](#) | [About](#) | [Dallas Kids](#)



Housing/Community Services Department Neighborhood Planning & Development Division

Neighborhood Investment Program

In February 2003, the City Council approved the Neighborhood Investment Program (NIP) to focus housing/land bank, public infrastructure improvements, code enforcement, economic development other city resources in designated target Community Development Block Grant (CDBG) neighborhood. Program emphasis is placed on:

1. Leveraging private development and other community investments;
2. Facilitating sustainable neighborhood redevelopment through community partnerships and stakeholders; and
3. Targeting city, stakeholder and other public/private resources

Currently, there are five (5) designated NIP target neighborhoods:

1. South Dallas-Ideal and Rochester Park neighborhoods
CT 39.02, 115.00 pt.
2. West Dallas
CT 101.01, 101.02
3. South Dallas – Jubilee, Owenwood, Dolphin Heights & Frazier Courts neighborhoods
CT 25.00, 27.01, 27.02
4. N. Oak Cliff / Marsalis
CT 20.00 pt., 48.00 pt.
5. Lancaster Corridor / Cigarette Hill
CT 55.00 pt., 57.00, 87.04 pt., 87.05 pt., 88.01 pt., 88.02 pt., 113.00 pt., 114.01 pt.

Neighborhood Enhancement Program

In the February 2008, the City Council approved the Neighborhood Enhancement Program (NEP) as a companion to the NIP. The NEP provides funding for streetscape improvements, landscaping & neighborhood gateway initiatives, pedestrian amenities, and related architectural/engineering work. Projects are selected to maximize neighborhood impact under the NIP and are coordinated by the Housing/Community Services Department.

Maps

You can access the maps for each of the five (5) target areas by clicking on individual links below to the [City of Dallas interactive map](#) to see the target area boundaries. You may also access the map application from the City's homepage under "Find...a map".

1. [South Dallas – Ideal and Rochester Park neighborhoods](#)
2. [West Dallas](#)
3. [South Dallas – Jubilee, Owenwood, Dolphin Heights & Frazier Courts neighborhoods](#)
4. [N. Oak Cliff / Marsalis](#)
5. [Lancaster Corridor / Cigarette Hill](#)

For more information about NIP or NEP program, please call (214) 670-7851.

HOME

HOUSING SERVICES

Housing Development

Development

CHDO/CBDO

Homebuyer Assistance

Neighborhood Stabilization Program (NSP)

Home Repair

Land Acquisition / Land Bank

Neighborhood Planning & Development Division

People Helping People

Weatherization Assistance

COMMUNITY SERVICES

Community Centers

Martin Luther King, Jr. Community Center

West Dallas Multipurpose Community Center

Child Care Services

Homeless Services

Homeless Prevention and Rapid Re-Housing

Crisis Assistance

Project Reconnect

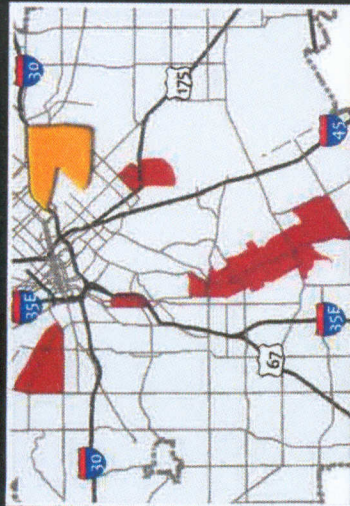
Senior Services

Women, Infants, & Children (WIC)

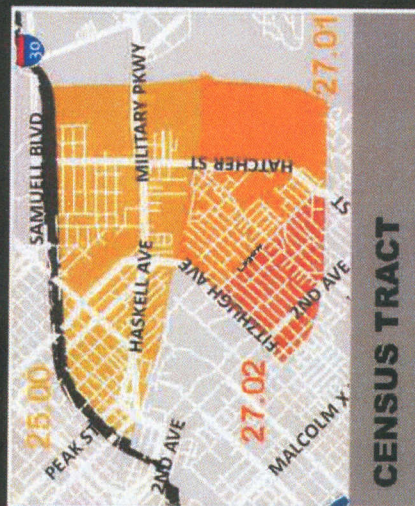
Lactation Care Center

NEIGHBORHOOD INVESTMENT PROGRAM

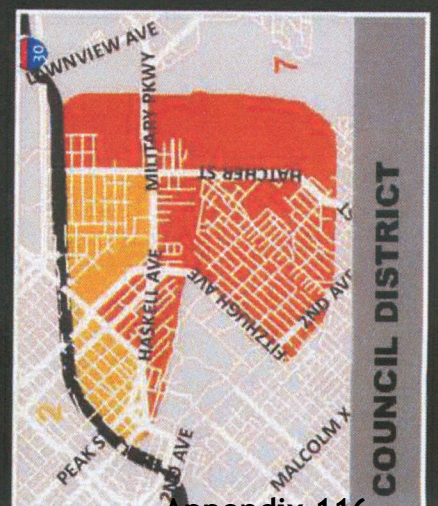
SOUTH DALLAS/FAIR PARK



NIP



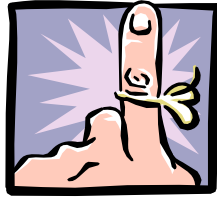
CENSUS TRACT



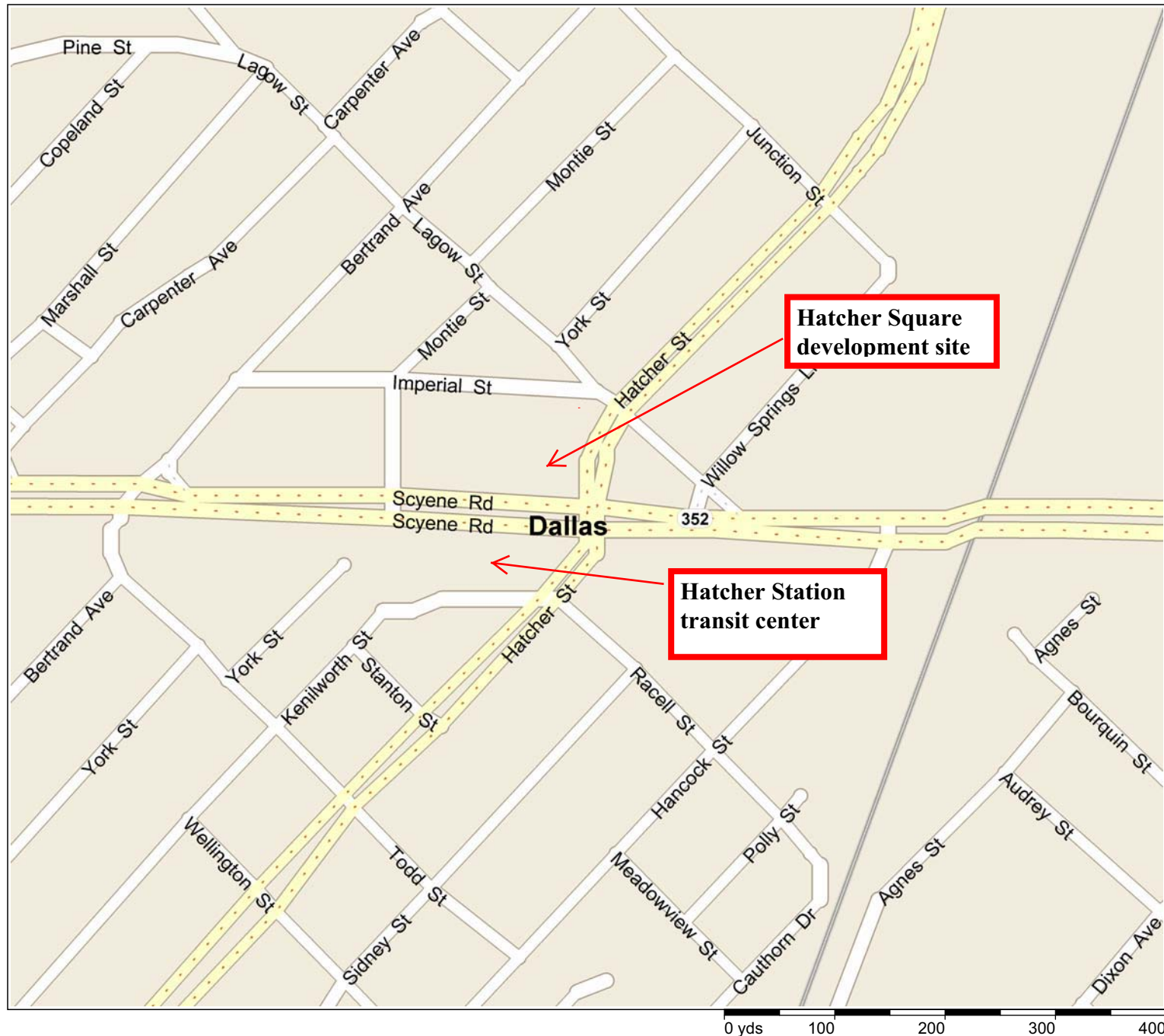
COUNCIL DISTRICT

SITE CHARACTERISTICS

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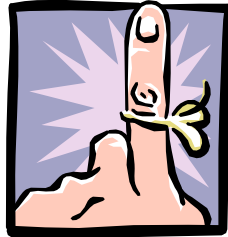


Hatcher Square Site Characteristics Map - Transit

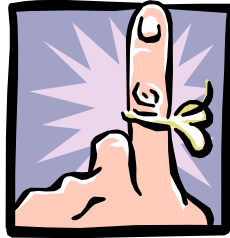


SPONSOR CHARACTERISTICS

Place evidence described in the Multifamily Applications Procedures Manual behind this placeholder tab.



Place evidence described in the Multifamily Applications Procedures Manual behind this placeholder tab.





February 1, 2012

Tim Irvine, Executive Director
TDHCA - Multifamily Finance Division
P. O. Box 13941
Austin, TX 78711- 3941

Re: Hatcher Square - TDHCA #12159

Dear Mr. Irvine:

This letter is to demonstrate compliance and eligibility pursuant to §50.9(b)(23) of the TDHCA 2012 Qualified Allocation Plan. We are affirming that the proposed development (Hatcher Square) is located within the specific geographic area (Census Tract #48113002702) covered by the Greater Frazier Area Revitalization Plan under the Neighborhood Investment Program (NIP), which was approved by Dallas City Council Resolution #10-2374 on September 22, 2010.

Please feel free to contact me at (214) 670-3619 should you have any questions or need more information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bernadette M. Mitchell'.

Bernadette M. Mitchell, Assistant Director
Housing/Community Services Department

c: Cameron Dorsey, Director of Housing Tax Credits, TDHCA
Dorothy Hopkins, Williams Group

Housing Tax Credit Program
2012 - 2013 Qualified Allocation Plan
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§50.1. General Program Information.

- (a) **Purpose and Authority.** The rules in this chapter apply to the allocation by the Texas Department of Housing and Community Affairs (the "Department") of Housing Tax Credits authorized by applicable federal income tax laws. Pursuant to Chapter 2306, Subchapter DD, of the Texas Government Code, the Department is authorized to make Housing Tax Credit Allocations for the State of Texas. As required by §42(m)(1) of the Code, the Department developed this Qualified Allocation Plan (QAP) which is set forth in this chapter. Sections in this chapter establish procedures for applying for and obtaining an allocation of Housing Tax Credits, along with ensuring that the proper Threshold Criteria, Selection Criteria, priorities and preferences are followed in making such allocations. Notwithstanding the fact that these rules may not contemplate unforeseen situations that may arise, the Department would expect to apply a reasonableness standard to the evaluation of Applications for Housing Tax Credits.
- (b) **General Rule of Construction.** Any requirement to meet code, ordinance, etc. is deemed to be met if an appropriate waiver has been lawfully obtained and is being met.
- (c) Unless the context indicates otherwise, a reference to a Development Owner, Developer, General Contractor or Guarantor includes all Persons controlled by or under common Control with any such Person.

§50.2. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise. Any capitalized terms not specifically mentioned in this section shall have the meaning as defined in Chapter 2306 of the Texas Government Code, §42 of the Internal Revenue Code, §1.1 of this title (relating to Definitions and Amenities for Housing Program Activities), and repeated in the Tax Credit (Procedures) Manual.

- (1) **Applicable Percentage**--The percentage used to determine the amount of the Housing Tax Credit for any Development (New Construction, Reconstruction, and/or Rehabilitation), as defined more fully in the Code, §42(b).
 - (A) For purposes of the Application, the Applicable Percentage will be projected at:
 - (i) nine percent (9%) if the Development is proposed to be placed in service prior to December 31, 2013 and such timing is deemed appropriate by the Department or if the ability to claim the full 9% credit is extended by the U.S. Congress;
 - (ii) forty (40) basis points over the current applicable percentage for 70% present value credits, pursuant to §42(b) of the Code for the month in which the Application is submitted to the Department; or
 - (iii) fifteen (15) basis points over the current applicable percentage for 30% present value credits, unless fixed by Congress, pursuant to §42(b) of the Code for the month in which the Application is submitted to the Department.
 - (B) For purposes of making a credit recommendation at any other time, the Applicable Percentage will be based in order of priority on:
 - (i) the percentage indicated in the Agreement and Election Statement, if executed; or
 - (ii) the actual applicable percentage as determined by the Code, §42(b), if all or part of the Development has been placed in service and for any buildings not placed in service the percentage will be the actual percentage as determined by the Code, §42(b) for the most current month; or
 - (iii) the percentage as calculated in subparagraph (A) of this paragraph if the Agreement and Election Statement has not been executed and no buildings have been placed in service.

- (25) **Tax-Exempt Bond Development**--A Development requesting or having been awarded Housing Tax Credits and which receives a portion of its financing from the proceeds of tax-exempt bonds which are subject to the state volume cap as described in §42(h)(4) of the Code, such that the Development does not receive an allocation of tax credit authority from the State Housing Credit Ceiling.
- (26) **Transitional Housing**--A Supportive Housing development that includes living Units with more limited individual kitchen facilities and is:
- (A) used exclusively to facilitate the transition of homeless individuals and those at-risk of becoming homeless, to independent living within 24 months; and
 - (B) is owned by a governmental entity or a qualified non-profit which provides temporary housing and supportive services to assist such individuals in, among other things, locating and retaining permanent housing. The limited kitchen facilities in individual Units must be appropriately augmented by suitable, accessible shared or common facilities.

§50.3. Program Calendar.

All documentation noted in this section must be submitted to the Department offices located at 221 E. 11th Street, Austin, TX 78701, by 5:00 p.m. (CST) by the date indicated. Any deadline not imposed by statute and including those not specifically listed in the Program Calendar may be extended for good cause by the Executive Director for a period of not more than five (5) business days provided; however, that the Applicant requests an extension of the deadline prior to the date of the original deadline. Any extension of non-statutory deadlines made after the original deadline or for longer than five (5) days must be requested pursuant to §50.16(a) of this chapter (relating to Waiver and Amendment of Rules). Extensions for 10% Test, Carryover and Cost Certification shall be made in accordance with §50.13(c) of this chapter (relating to Application Reevaluation).

2012 Program Year Due Date	2013 Program Year Due Date	Documentation Required
12/19/2011	12/17/2012	Application Acceptance Period Begins (Competitive HTC Only).
12/19/2011	12/17/2012	Pre-application Neighborhood Organization Request Date (Competitive HTC Only).
12/30/2011	12/28/2012	Pre-application Response to Neighborhood Organization Request Date (Competitive HTC Only).
01/10/2012	01/08/2013	Pre-Application Final Delivery Date (Competitive HTC Only).
01/20/2012	01/18/2013	Full Application Neighborhood Organization Request Date (Competitive HTC Only). For Tax-Exempt Bond, Rural Rescue, HOME or HTF Applications the request must be sent no later than fourteen (14) days prior to the submission of the Threshold Documentation.
02/23/2012	02/22/2013	Full Application Response to Neighborhood Organization Request Date (Competitive HTC Only). For Tax-Exempt Bond, HOME or HTF Applications

2012 Program Year Due Date	2013 Program Year Due Date	Documentation Required
		the response should be received no later than seven (7) days prior to the Application submission.
03/01/2012	03/01/2013	Full Application Delivery Date (Competitive HTC Only).
03/01/2012	03/01/2013	Quantifiable Community Participation (QCP) Delivery Date (Competitive HTC Only).
03/01/2012	03/01/2013	Unit of General Local Government Resolutions for Applications applying for TDHCA HOME funds and selecting §50.9(b)(5) points (must be submitted with Application).
03/01/2012	03/01/2013	Third Party Report Delivery Date (Environmental Site Assessment (ESA), Property Condition Assessment (PCA), Appraisal (if applicable). For Tax-Exempt Bond Developments the Third Party Reports must be submitted no later than 60 days prior to the Board meeting at which the tax credits will be considered. The 60 day deadlines are available on the Department's website.
03/02/2012	03/04/2013	Rural Rescue Application Submission Period (Ends 11/13/2012 and 11/12/2013 respectively).
04/02/2012	04/01/2013	Market Analysis Delivery Date (Competitive HTC Only).
04/02/2012	04/01/2013	Resolutions Delivery Date. (For Tax-Exempt Bond Developments all resolutions are due no later than 14 days prior to the Board meeting at which the tax credits will be considered).
05/01/2012	05/01/2013	Final Input from State Representative or State Senator Delivery Date (Competitive HTC Only)
Mid-May	Mid-May	Final Scoring Notices Issued (Competitive HTC Only).
06/13/2012	06/12/2013	Application Challenges Deadline (Competitive HTC Only).
Late June	Late June	Release of Eligible Applications for Consideration for Award in July (Competitive HTC Only).
Late July	Late July	Final Awards (Competitive HTC Only).
Mid-August	Mid-August	Commitments are Issued (Competitive HTC Only).
11/01/2012	11/01/2013	Carryover Documentation Delivery Date (Competitive HTC Only).
07/01/2013	07/01/2014	10% Test Documentation Delivery Date (Competitive HTC Only).

2012 Program Year Due Date	2013 Program Year Due Date	Documentation Required
12/31/2014	12/31/2015	Placement in Service Deadline (Competitive HTC Only).
Forty-five (45) calendar days prior to Board meeting	Forty-five (45) calendar days prior to Board meeting	Amendment Requests.
Thirty (30) calendar days prior to the deadline, as applicable	Thirty (30) calendar days prior to the deadline, as applicable	Extension Requests.
Five (5) business days after the Deficiency Notice date (without incurring point loss or penalty fee)	Five (5) business days after the Deficiency Notice date (without incurring point loss or penalty fee)	Administrative Deficiency Deadline

§50.4. Ineligible Applicants, Applications, and Developments.

- (a) The purpose of this section is to identify those situations, in which an Applicant, Application or Development would be considered to be ineligible under the Housing Tax Credit program based on, but not limited to, requirements in §42 of the Internal Revenue Code, Texas Government Code Chapter 2306 and other criteria considered important by the Department. If an Applicant or Application is determined by Staff to be ineligible based on subsections (b) and (c) of this section the Applicant will be sent a notice stating such ineligibility and will be given the opportunity to explain how they believe they are not ineligible. If while the Application is under review the General Contractor or Guarantor is determined by Staff or the Applicant to be ineligible under subsection (b) of this section, the Applicant will be allowed to replace the General Contractor or Guarantor provided such replacement is immediately identified and in place prior to the date by which a Commitment or Determination Notice would be issued provided that the request is made in sufficient time to allow Department Staff to conduct its previous participation review and any other necessary analysis. A proposed replacement and each Principal is required to provide the required previous participation forms.
- (b) **Ineligible Applicants.** An Applicant is ineligible if any Applicant, Development Owner, Developer, General Contractor, Guarantor involved with the Application:
- (1) has been or is barred, suspended, or terminated from procurement in a state or Federal program or listed in the List of Parties Excluded from Federal Procurement or Non-Procurement Programs; or (§2306.6721(c)(2))
 - (2) has been convicted of a state or federal felony crime involving fraud, bribery, theft, misrepresentation of material fact, misappropriation of funds, or other similar criminal offenses within fifteen (15) years preceding the Application deadline; or
 - (3) at the time of Application is subject to an enforcement or disciplinary action under state or federal securities law or by the NASD; is subject to a federal tax lien; or is the subject of a proceeding in which a Governmental Entity has issued an order to impose penalties, suspend funding, or take adverse action based on an allegation of:
 - (A) financial misconduct; or
 - (B) uncured violation of material laws, rules, or other legal requirements governing activities considered relevant by the Governmental Entity; or

- (A) be for the identical Development Site, or reduced portion of the Development Site based on the legal description provided at pre-application;
 - (B) have met the Pre-application Threshold Criteria;
 - (C) be serving the same Target Population as in the pre-application;
 - (D) be applying for the same Set-Asides as indicated in the pre-application (Set-Asides can be dropped between pre-application and Application, but no Set-Asides can be added); and
 - (E) be awarded by the Department an Application score that is not more than (9 points) greater or less than the number of points awarded by the Department at pre-application, with the exclusion of points for support and opposition under paragraphs (2), (6), and (14) of this subsection. The Application score used to determine whether the Application score is (9 points) greater or less than the number of points awarded at pre-application will also include all point losses under §50.7(b)(2)(A) of this chapter (relating to Application Process). An Applicant must choose, at the time of Application either clause (i) or (ii) of this subparagraph:
 - (i) to request the pre-application points and have the Department cap the Application score at no greater than the (9 points) increase regardless of the total points accumulated in the scoring evaluation. This allows an Applicant to avoid penalty for increasing the point structure outside the (9 points) range from pre-application to Application; or
 - (ii) to request that the pre-application points be forfeited and that the Department evaluate the Application as requested in the Self-Score Form.
- (15) **Developments in Census Tracts with Limited Existing HTC Developments.** (§2306.6725(b)(2)) The purpose of this scoring item is to encourage a de-concentration of housing tax credit Developments in census tracts, according to the Department's Housing Tax Credit Site Demographic Characteristics Report for the current Application Round. Applications may qualify for up to (6 points) under subparagraph (A) or (B) of this paragraph.
- (A) If the proposed Development is located in a census tract in which there are no other existing HTC Developments that serve the same Target Population (4 points); or
 - (B) If the proposed Development is located in a census tract in which there are no other existing HTC Developments (6 points).
 - (C) Evidence of the census tract identifying the location of the proposed Development must be submitted in the Application.
- (16) **Development Location.** (§2306.6725(a)(4); §42(m)(1)(C)(i)) Applications (excluding those requesting funds from the At-Risk Set-Aside) may qualify to receive up to (4 points) under subparagraph (A) of this paragraph, with the exception of Qualified Elderly Developments which may receive up to (3 points) under subparagraph (A) of this paragraph, or (4 points) under subparagraph (B) of this paragraph or (1 point) under subparagraph (C), (D) or (E) of this paragraph. The purpose of this scoring item is to promote affordable housing development in traditionally underserved areas that allow access to a variety of services and socioeconomic opportunities that would not otherwise be readily accessible as well as meet legally mandated requirements. Evidence must not be more than six (6) months old from the first day of the Application Acceptance Period. Applicants must submit documentation in the form of a map of the defined area that includes the location of the proposed Development. If qualifying for being in a Colonia, the name of the Colonia must also be identified on the map. An Application may only receive points under one of the subparagraphs (A) - (E) of this paragraph.
- (A) The Development is proposed to be located in a High Opportunity Area as defined in §50.2(15) of this chapter (relating to Definitions), ((3 points) for Qualified Elderly Developments or (4 points) for all other Developments).

- (B) The Development is proposed to be located in a Central Business District as defined in §50.2(7) of this chapter. The Application must include a letter from the Appropriate Local Official confirming the location of the proposed Development and include the boundaries of the Central Business District (4 points).
 - (C) A Federal Enterprise Community, a Growth Zone or any other comparable community as designated by HUD, which are typically defined with census tract boundaries. Such locations may have previously been known as Empowerment Zones, Enterprise Communities or Renewal Communities (1 point); or
 - (D) An Economically Distressed Area as specifically designated by the Water Development Board as of the beginning of the Application Acceptance Period or a Colonia (1 point); or
 - (E) The Application is not receiving points under paragraph (5) of this subsection and the proposed Development will be located in an area supported by the Governing Body of the appropriate municipality or county containing the Development Site, as evidenced by a resolution or ordinance, submitted with the Application, supporting the location of the Development Site (1 point).
- (17) **Tenant Populations with Special Housing Needs.** (§42(m)(1)(C)(v)) Applications may qualify to receive (4 points) for this item. The purpose of this scoring item is to integrate special housing needs populations into traditional housing tax credit Developments. The Department will award these points to Applications in which at least 5% of the Units are set aside for Persons with Special Needs. For purposes of this section, Persons with Special Needs is defined as persons with alcohol and/or drug addictions, Colonia residents, Persons with Disabilities, victims of domestic violence, persons with HIV/AIDS, homeless populations and migrant farm workers. Throughout the Compliance Period, unless otherwise permitted by the Department, the Development Owner agrees to affirmatively market Units to Persons with Special Needs. In addition, the Department will require a minimum twelve-month period during which Units must either be occupied by Persons with Special Needs or held vacant. The twelve-month period will begin on the date each building receives its Certificate of Occupancy. For buildings that do not receive a Certificate of Occupancy, the twelve-month period will begin on the placed in service date as provided in the Cost Certification manual. After the twelve-month period, the Development Owner will no longer be required to hold Units vacant for households with special needs, but will be required to continue to affirmatively market Units to household with special needs.
- (18) **Length of Affordability Period.** (§§2306.6725(a)(5); 2306.111(g)(3)(C); 2306.185(a)(1) and (c); 2306.6710(e)(2); and 42(m)(1)(B)(ii)(II)) The purpose of this scoring item is to provide an incentive for Applications that will extend the affordability period beyond the extended use period. Rehabilitation (excluding Reconstruction) Developments are not eligible for these points. Applications may qualify to receive up to (4 points). In accordance with the Code, each Development is required to maintain its affordability for a 15-year compliance period and, subject to certain exceptions, an additional 15-year extended use period. Development Owners that are willing to extend the affordability period for a Development beyond the thirty (30) years required in the Code may receive points as follows:
- (A) add five (5) years of affordability after the extended use period for a total affordability period of thirty-five (35) years (2 points); or
 - (B) add ten (10) years of affordability after the extended use period for a total affordability period of forty (40) years (4 points).
- (19) **Site Characteristics.** Development Sites, including scattered sites, may qualify to receive up to (4 points) for this item. The purpose of this scoring item is to encourage affordable rental housing development in proximity to services and amenities that would be considered

beneficial to the tenants. Developments Sites must be located within a one mile radius (two-mile radius for Developments competing for a Rural Regional Allocation) of at least six (6) services. A site located within one-half mile of public transportation that is accessible to all residents including Persons With Disabilities and/or located within a community that has another form of transportation, including, but not limited to, special transit service or specialized elderly transportation for Qualified Elderly Developments, will receive full points regardless of the proximity to amenities, as long as the Applicant provides appropriate evidence of the transportation services used to satisfy this requirement. If a Development is providing its own specialized van or funding a comparable service, then this will be a requirement of the LURA. Only one service of each type listed in subparagraphs (A) - (O) of this paragraph will count towards the points. A map must be included identifying the Development Site and the location of the services by name. If the services are not identified by name, points will not be awarded. All services must exist or, if under construction, must be under active construction, post paid by the date the Application is submitted.

- (A) Full service grocery store.
- (B) Pharmacy.
- (C) Convenience Store/Mini-market.
- (D) Department or Retail Merchandise Store.
- (E) Bank/Credit Union.
- (F) Restaurant (including fast food).
- (G) Indoor public recreation facilities, such as civic centers, community centers, and libraries.
- (H) Outdoor public recreation facilities such as parks, golf courses, and swimming pools.
- (I) Medical offices (physician, dentistry, optometry) or hospital/medical clinic.
- (J) Public Schools (only eligible for Developments that are not Qualified Elderly Developments).
- (K) Senior Center.
- (L) Religious Institutions.
- (M) Day Care Services (must be licensed - only eligible for Developments that are not Qualified Elderly Developments).
- (N) Post Office, City Hall, County Courthouse.
- (O) Fire/Police Station.

(20) **Repositioning of Existing Developments.** Applications may qualify to receive up to (3 points) for this item. The purpose of this scoring item is to provide an incentive for Applications proposing the substantial Rehabilitation of an Existing Residential Development that meet the following criteria:

- (A) proposes Rehabilitation (including Reconstruction);
- (B) contains residential buildings originally constructed between 1980 - 1990;
- (C) the Application includes a scope of work (excluding Reconstruction) for the interior of the Units that includes an intentional lease-down or relocation of tenants off-site; and
- (D) the Development, as of the beginning of the Application Acceptance Period, has no income or rent restrictions recorded in the property records of the county.

(21) **Sponsor Characteristics.** The purpose of this scoring item is to encourage the material participation of Historically Underutilized Businesses relative to the housing industry in the development and operation of affordable housing. Applications may qualify to receive a maximum of (2 points) for this item. Qualifying under subparagraph (A) of this paragraph shall be worth (1 point) and qualifying under subparagraph (B) of this paragraph shall be worth (2 points). (§42(m)(1)(C)(iv))

- (A) The Applicant has submitted a plan to use Historically Underutilized Businesses (HUB) in the development process consistent with the Historically Underutilized Business

Guidelines for contracting with the State of Texas. The Applicant will be required to submit a report of the success of the plan as part of the cost certification documentation, in order to receive IRS Forms 8609; or

- (B) there is a HUB as certified by the Texas Comptroller of Public Accounts, has at least 51% ownership interest in the General Partner and materially participates in the Development and operation of the Development throughout the Compliance Period. To qualify for these points, the Applicant must submit a certification from the Texas Comptroller of Public Accounts that the Person is a HUB at the close of the Application Acceptance Period.
- (22) **Economic Development Initiatives.** (§2306.127) The purpose of this item is to provide an incentive for proposed Developments located in areas that have adopted initiatives that promote economic development. An Application may qualify to receive (1 point) under subparagraph (A) or (B) of this paragraph.
- (A) An economic development initiative adopted by the local government in which the Development Site is located, such as, but not limited to, a Tax Increment Financing (TIF) or Tax Increment Reinvestment Zone (TIRZ). Acceptable evidence will be a letter from the Appropriate Local Official certifying they have authority, stating the economic development initiative that is in place and certifying the date the initiative was adopted by the Unit of General Local Government.
 - (B) A Designated State Enterprise Zone.
- (23) **Community Revitalization (§42(m)(1)(C)(iii)) or Historic Preservation.** Applications may qualify to receive (1 point) under subparagraph (A) or (B) of this paragraph. The purpose of this scoring item is to provide an incentive for community transformation (including Qualified Census Tracts) by utilizing already existing capacities and providing long-term improvements to specific geographic areas as well as preserving federal or state designated historic buildings.
- (A) Any Development, regardless of whether located in a Qualified Census Tract that is part of a community revitalization plan. To qualify for these points a letter from the Appropriate Local Official must be submitted affirming that the Development is located within the specific geographic area covered by the plan, that the plan is not a Consolidated Plan or other Economic Development Plan or city-wide plan, the plan has been approved or adopted by ordinance, resolution, or other vote by the Governing Body with jurisdiction over the area covered by the plan (or, if such body has delegated that responsibility to another body by resolution, ordinance, or other vote, the body to which the responsibility was delegated) in a process that allows for public input and/or comment.
 - (B) The Development includes the use of an existing building that is designated as historic by a federal or state Entity and proposes Rehabilitation (including Reconstruction) or Adaptive Reuse. The Development itself must have the designation; points in this subparagraph are not available for Developments simply located within historic districts or areas that do not have a designation on the building. The Development must include the historic building. Evidence will include proof of the historic designation from the appropriate Governmental Entity. The Applicant will be required to show proof of the Historic designation and Historic Tax Credits at Cost Certification.
- (24) **Developments Intended for Eventual Tenant Ownership--Right of First Refusal.** Applications may qualify to receive (1 point) for this item. (§2306.6725(b)(1); §42(m)(1)(C)(viii)) The purpose of this scoring item is to allow for consideration for tenant or nonprofit ownership at the end of the Compliance Period. Evidence that Development Owner agrees to provide a right of first refusal to purchase the Development upon or following the

end of the Compliance Period in accordance with §2306.6726 and the Department's rules related to Right of First Refusal and Qualified Contract in §1.9 of this title (relating to Qualified Contract Policy).

- (c) **Scoring Criteria Imposing Penalties.** (§2306.6710(b)(2)) Staff will recommend to the Board a penalty of up to (5 points) for any of the items listed in paragraphs (1) and (2) of this subsection, unless the person approving the extension (the Board or Executive Director, as applicable) makes an affirmative finding setting forth that the facts which gave rise to the need for the extension were beyond the reasonable control of the Applicant and could not have been reasonably anticipated. Any such matter to be presented for final determination of penalties by the Board must include notice from the Department to the affected party not less than fourteen (14) days prior to the scheduled Board meeting. The Executive Director may, but is not required, to issue a formal notice after disclosure if it is determined that the matter does not warrant penalties.
- (1) If the Applicant or Affiliate failed to meet the original Carryover submission or 10% Test deadline(s) or has requested an extension of the Carryover submission deadline, the 10% Test deadline (relating to either submission or expenditure).
 - (2) If the Developer or Principal of the Applicant violates the Adherence to Obligations pursuant to §50.12(a) of this chapter (relating to Post Award Activities).
 - (3) No penalty points will be deducted for extensions that were requested on Developments that involved Rehabilitation when the Department is the primary lender, or for Developments that involve TRDO-USDA as a lender if TRDO-USDA or the Department is the cause for the Applicant not meeting the deadline.
 - (4) Any penalties assessed by the Board for paragraph (1) or (2) of this subsection based on a Housing Tax Credit Commitment from the preceding Application Round will be attributable to the Applicant or Affiliate of an Application submitted in the current Application Round.

§50.10. Board Decisions.

- (a) The Board's decisions shall be based upon the Department's and the Board's evaluation of the proposed Developments' consistency with the criteria and requirements set forth in this QAP and other applicable Department rules.
- (1) On awarding tax credits, the Board shall document the reasons for each Application's selection, including any discretionary factors used in making its determination, including good cause and the reasons for any decision that conflicts with the recommendations made by Department Staff. Good cause includes the Board's decision to apply discretionary factors. (§§2306.6725(c); 2306.6731; and 42(m)(1)(A)(iv))
 - (2) Before the Board approves any Application, the Department shall assess the compliance history of the Applicant with respect to all applicable requirements; and the compliance issues associated with the proposed Development. The Board has established a rule for the materiality of noncompliance in Chapter 60 of this title (relating to Compliance Administration) to address noncompliance associated with the Development, Applicant or Affiliate.
- (b) **Waiting List.** (§2306.6711(c) and (d)) If the entire State Housing Credit Ceiling for the applicable calendar year has been committed or allocated in accordance with this chapter, the Board shall generate, concurrently with the issuance of the Commitment, a waiting list of additional Applications ranked by score in descending order of priority based on Set-Aside categories and regional allocation goals. The Board may also apply discretionary factors in determining the waiting list provided that it takes into account the need to assure adherence to regional allocation requirements. If at any time prior to the end of the Application Round, one or more Commitments expire or a sufficient amount of the State Housing Credit Ceiling becomes available, the Board shall issue a Commitment to Applications on the waiting list subject to the

WHEREAS, on February 26, 2003, by Resolution No. 03-0830, the City Council approved a selection criteria that designated certain census tracts (CT 25.00, CT 39.02, CT 101.01, CT 49.00 and CT 89.00) as NIP target areas for a two year period, beginning October 1, 2003; and

WHEREAS, on September 28, 2005, by Resolution No. 052795, the City Council approved the redesignation of three NIP target areas by expanding CT 101.01 to include 101.02, CT 25.00 to include 27.01 and 27.02, and CT 39.02 to include 115.00 (part) for a three-year period, beginning October 1, 2005; and

WHEREAS, on January 22, 2008, the Housing Committee was briefed on the status of NIP target area CT's 25.00, 27.01 and 27.02; and

WHEREAS, on February 4, 2008, the Housing Committee was briefed on the status of NIP target area CT's 39.02 and 115.00 (part); and

WHEREAS, on March 3, 2008, the Housing Committee was briefed on the status of NIP target area CT's 101.01 and 101.02; and

WHEREAS, on April 7, 2008, The Housing Committee was briefed on recommendations for future NIP initiatives; and

WHEREAS, on May 13, 2008, the Community Development Commission Housing Committee was briefed on the proposed NIP target areas and future initiatives; and

WHEREAS, on August 18, 2008, the Housing Committee was briefed on the proposed NIP-III strategy which calls for the redesignation of seven census tracts comprising three existing Neighborhood Investment Program target areas and the designation of ten census tracts comprising two additional Neighborhood Investment Program target areas; and

WHEREAS, the City Council desires to redesignate: CT 25.00, CT 27.01, CT 27.02 (South Dallas-Jubilee/Frazier), CT 39.02, 115.00 (part) (South Dallas-Ideal/Rochester), CT 101.01, 101.02 (West Dallas), and designate CT 55.00 (part), CT 57.00, CT 87.04 (part), CT 87.05 (part), CT 88.01 (part), CT 88.02 (part), CT 113.00 (part), CT 114.01 (part) (Lancaster Corridor) and CT 20.00 (part) and CT 48.00 (part) (Oak Cliff-Marsalis) as Neighborhood Investment Program target areas for a minimum of two years, beginning October 1, 2008; **NOW, THEREFORE**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the following census tracts be designated as Neighborhood Investment Program target areas for a minimum of two years, beginning October 1, 2008: CT 25.00, CT 27.01, CT 27.02, CT 101.01, CT 101.02, CT 39.02, CT 115.00 (part), CT 55.00 (part), CT 57.00, CT 87.04 (part), CT 87.05 (part), CT 88.01 (part), CT 88.02 (part), CT 113.00 (part), CT 114.01 (part), CT 20.00 (part) and CT 48.00 (part) .

SECTION 2. That within two years from the effective date of this Resolution, the Dallas City Council will review the development needs of each target area and determine whether to extend the target area's designation.

SECTION 3. That the City Manager be authorized to initiate planning and other activities to implement the Neighborhood Investment Program in CT 25.00, CT 27.01, CT 27.02, CT 101.01, CT 101.02, CT 39.02, CT 115.00 (part), CT 55.00 (part), CT 57.00, CT 87.04 (part), CT 87.05 (part), CT 88.01 (part), CT 88.02 (part), CT 113.00 (part), CT 114.01 (part), CT 20.00 (part) and CT 48.00 (part).

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:

Housing Department
City Attorney's Office
Office of Financial Services/Community Development, 4FN

APPROVED BY
CITY COUNCIL

SEP 24 2008


City Secretary

WHEREAS, on February 26, 2003, by Resolution No. 03-0830, the City Council approved a selection criteria that designated certain census tracts (CT 25.00, CT 39.02, CT 101.01, CT 49.00 and CT 89.00) as NIP target areas for a two year period, beginning October 1, 2003; and

WHEREAS, on September 28, 2005, by Resolution No. 052795, the City Council approved the redesignation of three NIP target areas by expanding CT 101.01 to include 101.02, CT 25.00 to include 27.01 and 27.02, and CT 39.02 to include 115.00 (part) for a three-year period, beginning October 1, 2005; and

WHEREAS, on September 24, 2008, by Resolution No. 082559, the City Council voted to re-designate three existing NIP target areas, including CT's 101.01, 101.02 (West Dallas), CT's 25.00, 27.01, and 27.02 (South Dallas/Jubilee-Frazier), and CT's 39.02 and 115.00 (part) (South Dallas/Ideal-Rochester Park), and designate two new NIP target areas including CT's 55.00 (part), 57.00, 87.04 (part), 87.05 (part), 88.01 (part), 88.02 (part), 113.00 (part), 114.01 (part) (Lancaster Corridor) and CT's 20.00 (part) and 48.00 part (Oak Cliff-Marsalis) for a two-year period, beginning October 1, 2008; and

WHEREAS, on August 16, 2010, the Housing Committee was briefed on recommendations for future NIP initiatives; and

WHEREAS, on September 2, 2010, the Community Development Commission Housing Committee was briefed on the proposed NIP target areas and future initiatives; and

WHEREAS, the City Council desires to redesignate: CT 25.00, CT 27.01, CT 27.02 (South Dallas-Jubilee/Frazier), CT 39.02, 115.00 (part) (South Dallas-Ideal/Rochester), CT 101.01, 101.02 (West Dallas), CT 55.00 (part), CT 57.00, CT 87.04 (part), CT 87.05 (part), CT 88.01 (part), CT 88.02 (part), CT 113.00 (part), CT 114.01 (part) (Lancaster Corridor) and CT 20.00 (part) and CT 48.00 (part) (Oak Cliff-Marsalis) as Neighborhood Investment Program target areas for a minimum of two years, beginning October 1, 2010; **NOW, THEREFORE**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the following census tracts be redesignated as Neighborhood Investment Program target areas for a minimum of two years, beginning October 1, 2010: CT 25.00, CT 27.01, CT 27.02, CT 101.01, CT 101.02, CT 39.02, CT 115.00 (part), CT 55.00 (part), CT 57.00, CT 87.04 (part), CT 87.05 (part), CT 88.01 (part), CT 88.02 (part), CT 113.00 (part), CT 114.01 (part), CT 20.00 (part) and CT 48.00 (part) .

SECTION 2. That within two years from the effective date of this Resolution, the Dallas City Council will review the development needs of each target area and determine whether to extend the target area's designation.

SECTION 3. That the City Manager be authorized to initiate planning and other activities to implement the Neighborhood Investment Program in CT 25.00, CT 27.01, CT 27.02, CT 101.01, CT 101.02, CT 39.02, CT 115.00 (part), CT 55.00 (part), CT 57.00, CT 87.04 (part), CT 87.05 (part), CT 88.01 (part), CT 88.02 (part), CT 113.00 (part), CT 114.01 (part), CT 20.00 (part) and CT 48.00 (part).

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:

Housing/Community Services Department
City Attorney's Office
Office of Financial Services/Community Development, 4FN

APPROVED BY
CITY COUNCIL

SEP 22 2010


City Secretary


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Affordable Housing Finance

REGIONAL NEWS

MIDWEST

AFFORDABLE HOUSING FINANCE • June 2008

Project Planned at Former MLK Home

CHICAGO -- Nonprofit developer Lawndale Christian Development Corp. will build the Martin Luther King Jr. Apartments on a vacant two-acre site owned by the city. The site includes 1550 S. Hamlin Ave., where King once lived.

The project will include a mix of two-, three-, and four-bedroom units ranging from subsidized to market-rate rents.

Part of its \$20 million construction costs will come from \$1.5 million in lowincome housing tax credits (LIHTCs). The developer plans to leverage those credits into \$10 million when it sells them. Construction is expected to begin in 2009.

The King Apartments are part of a broader, three-year effort to assemble land and raise financing for a four-acre Martin Luther King Jr. district. Upon completion, the \$40 million district will include the apartments, a museum, a recreation center, a memorial park, and a library.

NORTHEAST

New Seniors Project for Baltimore

BALTIMORE -- Abingdon Senior Housing, an affordable project for seniors, has opened here. The developer is Catholic Charities.

The \$8.1 million four-story building includes 76 one-bedroom apartments for older adults, several community rooms, and a vegetable garden. The Department of Housing and Urban Development (HUD) provided most of the funding, along with contributions from the state and county.

"I oversee six states, and this is one of the most beautiful spaces," said HUD Regional Director John G. Bravacos, about the project's fit with the rest of the neighborhood in a Baltimore Sun article.

SOUTH CENTRAL

Group Files Lawsuit Against TDHCA

DALLAS -- Inclusive Communities Project, a locally based civil rights group, has filed a lawsuit claiming that the state's largest affordable rental housing program perpetuates racial segregation.

The group claims that the Texas Department of Housing and Community Affairs (TDHCA) has allowed most of the local apartment complexes financed with LIHTCs to be built in urban areas with high concentrations of poverty, crime, and blight. Placing the projects in predominantly minority neighborhoods, according to the suit, has perpetuated racial segregation, the group alleges. The case was filed in March in federal court against the TDHCA and its governing board.

The lawsuit asks the court to require the TDHCA to approve as many tax credit projects in non-minority census tracts as it has in minority census tracts. Michael Gerber, the TDHCA's executive director, disputed the claims but said he could not discuss specifics of the case, according to the Dallas Morning News. Gerber said the department does not consider the race of potential tenants in its decision whether to approve a project. He said the department has strict policies to avoid heavily concentrating the properties.

SOUTHEAST

Bennett Opens New Senior Community

LANETT, ALA. -- Garden Greene Apartments, a 48-unit affordable development here, has opened. The developer is Auburn, Ala.-based The Bennett Co.

The \$6 million project, named for a local longtime educator named John Tom Greene, is targeting seniors earning no more than 50 percent of the area median income (AMI). The development consists of 20 one- and 28 two-bedroom apartments with up to 1,060 square feet of living space. Amenities include a clubhouse with a vaulted ceiling, a full kitchen, a television/reading room, laundry facilities, and a computer center.

The building's exterior features a community garden area, a gazebo, and a picnic area with grills. Each unit is equipped with emergency pull cords in bedrooms and bathrooms that connect to a system of flashing lights and horns on the outside of the apartments to alert community members.

The city of Lanett donated the land to the developer. Enterprise Community Investment, Inc., provided a \$4.2 million LIHTC equity investment. The project received more than \$1.3 million in HOME funds from the Alabama Housing Finance Authority. Construction and permanent financing was provided by Auburn Bank.

Crosland Breaks Ground in Chapel Hill

CHAPEL HILL, N.C. -- Crosland, a developer based in Charlotte, has broken ground on phase two of Dobbins Hill, a 32-unit development in Chapel Hill for households earning no more than 50 percent of the AMI.

Lucius Jones, chairman of the North Carolina Board of Housing Finance, said Chapel Hill is the second most expensive place to live in the state.

"It's good to be able to produce affordable housing in Chapel Hill because housing is always a challenge for those who don't make a large income," said Jones.

The city has committed \$120,000 to help fund the project. It is set for completion in April 2009. The affordable project is part of a larger effort to bring mixed-use housing and retail to the area, which will be located just next door to Dobbins Hill.

WEST

Partnership Preserves Affordability for Seniors

NORCO, CALIF. -- A newly renovated affordable 86-unit senior community has opened here.

Heritage Park Senior Apartments was acquired last year and extensively rehabilitated by Mission Viejo-based Wasatch Advantage Group and nonprofit Western Community Housing, Inc.

"The original restrictions at the community had expired, with all units reverting to higher market-rate rents," said Deborah DeGrado, the city housing manager.

Originally built in 1984, the community includes one- and two-bedroom units ranging from 500 square feet to 660 square feet each. All units are set aside for seniors earning a maximum of 60 percent of the AMI. Units will remain affordable for the next 55 years. Monthly rents range from \$550 to \$675 for a one-bedroom unit, and from \$653 to \$803 for a two-bedroom apartment.

Total cost of the project, including acquisition and all repairs and renovations, was approximately \$13.8 million. Financing included \$4.5 million in tax-exempt bonds, \$4.2 million in LIHTC equity, and a \$5.1 million loan from the city of Norco. Wasatch partnered with the nonprofit Western Community Housing, Inc., on the project.

Community Housing and Mercy Convert Hotel

SAN FRANCISCO -- Community Housing Partnership and Mercy Housing have converted a seven-story hotel in the Tenderloin neighborhood into 84 singleroom occupancy apartments for homeless individuals with disabilities.

Known as the Essex, the building was constructed in 1912 and originally called the Hotel Essex. The units have kitchenettes and bathrooms. The project also includes 2,300 square feet of commercial space and 3,300 square feet of community facilities where Community Housing Partnership provides supportive services to residents. The total development cost of the project was \$33.7 million.

Metro

The Dallas Morning News

GRAND PRAIRIE ISD

District seeks 8 holidays for those passing TAKS

Teachers would focus on failing students; critics say that's unfair to all

By STELLA M. CHÁVEZ
Staff Writer
schavez@dallasnews.com

Grand Prairie students who pass the state TAKS tests could get a present next year: eight days off from school.

The school district has asked the state for permission to grant the days off so teachers can focus on preparing students who

didn't pass the tests.

The district granted three days off this year to high school students who had passed in 2007. Now, they are seeking to expand the program for another week and include middle school students.

Those who are granted the time off could stay home or take part in district-sponsored events or field trips.

Superintendent Susan Simpson said a small environment

See NOT Page 11B



Section B

Focus on North Dallas

Making a difference

North Dallas chef Ben Looney and members of his church outreach group are giving hope to teens from Willoughby House in Fort Worth. **3B**

Friday, April 25, 2008

dallasnews.com

DALLAS

Civil-rights group sues over housing

State disputes claims low-income rental plan perpetuates segregation

By KIM HORNER
Staff Writer
khorner@dallasnews.com

A Dallas civil-rights organization has filed a lawsuit claiming that the state's largest affordable rental housing program perpetuates racial segregation.

Park Cities Thursday

North Dallas Friday

Lakewood/East Dallas Saturday

Richardson/Lake Highlands Sunday

Also covering Dallas neighborhoods

See DALLAS Page 7B

Dallas civil-rights group sues over rental housing program

Continued from Page 1B

cial segregation.

The case was filed March 28 in federal court in Dallas against the department and its governing board.

"Tax-credit housing is now the largest program for providing affordable housing in the country, the state and in this area," said Mike Daniel, an attorney for the Inclusive Communities Project. "Like all the other affordable housing programs, it is still marked by racial segregation which reduces its value to many of the people it's supposed to serve by subjecting them to conditions of slum and blight in order to get the housing."

The lawsuit asks the court to require the state Housing and Community Affairs Department to approve as many tax-credit projects in nonminority census tracts as it has in minority census tracts. The department administers a variety of housing programs for the state.

Michael Gerber, its executive director, disputed the claims but said he could not discuss specifics of the case.

"The bottom line is that we disagree with the premise of the litigation, and we're going to vigorously defend the department in court," he said.

Mr. Gerber said the department does not consider the race of the potential tenants in its decision whether to approve a project. He said the department has strict policies to avoid heavily concentrating the properties.

"You want to have a good mix of properties," Mr. Gerber said.

Housing tax credits provide incentive to build affordable apartments. Developers who receive the tax credits sell them to investors. The developers get cash to build their projects, and investors get a lower tax bill.

The Inclusive Communities Project was formed in 2004 as a result of a separate lawsuit involving housing discrimination.

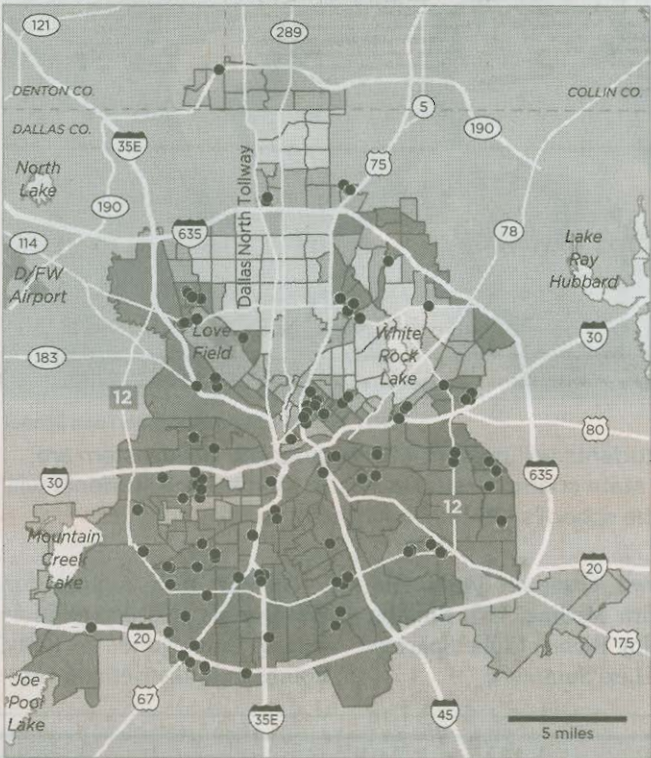
In that landmark case, also handled by Mr. Daniel, a federal judge ordered the Dallas

Where the developments are

In Dallas, 115 apartment developments are financed through the state's Housing Tax Credit Program. Here are their locations. Also shown are Dallas census tracts with population breakdowns by ethnicity:

Key to population ethnicity

- More than 75% minority
- 50.1% to 75% minority
- 25.1% to 50% minority
- Less than 25% minority



SOURCES: Texas Department of Housing and Community Affairs; American Community Survey U.S. Census data from 2005

Data analysis and graphic by TOM SETZER/Staff Artist

The lawsuit's claims

A Dallas civil-rights group claims in a lawsuit that the state has allowed most housing tax-credit projects to be built in minority areas with high concentrations of poverty and crime. The group's claims include:

- 85 percent of tax-credit projects are in predominantly minority census tracts, compared with 51 percent of all rental units in Dallas.
- Only 3 percent of tax-credit projects are in predominantly white census tracts, while 19 percent of all rental units in Dallas are in predominantly white census tracts.
- Hispanics make up only 5 percent of residents in

tax-credit projects that are in predominantly white census tracts. Just 4 percent of residents in those areas are black.

- Of the 115 tax-credit developments in Dallas, 32 are in areas with heavy industrial zoning, and 27 are in areas with other industrial zoning. Two are adjacent to a large illegal landfill. Five are near an illegal dump site.

- In 2004, the average violent crime rate for tax-credit developments was 137 crimes per 1,000 people, compared with the citywide rate of 35 crimes per 1,000 people.

SOURCE: The Inclusive Communities Project Inc.'s lawsuit against the Texas Department of Housing and Community Affairs

Housing Authority in 1995 to tear down segregated public housing projects in West Dallas and provide rental assis-

tance vouchers to allow residents to move to predominantly white areas without concentrations of

poverty. The vouchers provide extra financial assistance so residents can pay the higher rents in those neighborhoods.

The court provided funds for the Inclusive Communities Project to help low-income black families lease homes in those areas.

But the group filed its lawsuit last month because it has had problems finding the housing, said Betsy Julian, president of the Inclusive Communities Project. Only 70 of 383 apartment complexes in predominantly white Dallas suburbs surveyed by the group would accept the Section 8 rental vouchers. Of those, 26 were tax-credit projects, which are required to accept the vouchers.

"The real reason this is so important is these projects can't refuse to accept Section 8," Ms. Julian said.

Paula Washington, one of the project's clients, said she was turned down several times before finding a West Plano landlord willing to accept her voucher seven years ago.

"It's been a blessing," said Ms. Washington, a part-time florist who's happy that her son goes to Plano schools.

Several residents who live in tax-credit properties in southeast Oak Cliff said they would like to move.

But Robin Saddler, a disabled man who lives in the Villas of Sorrento — next to an illegal landfill — said he can't afford to on his disability income. He receives no rental assistance.

"I would like to move somewhere nice where crime is lower," he said. "I would like to be able to invite folks where I stay."

Oakwood Place Apartments resident Roshunda McKenzie said she cannot afford more than the \$500 a month she pays for her two-bedroom apartment at the run-down complex with many boarded-up units.

"I want to move to DeSoto," said the single mother of two young children who has no car and takes the bus to her job at a restaurant. "But the apartments are high."



47 of 90 DOCUMENTS

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October 1, 2010 Friday
Final Edition

SECTION: METRO; Pg. B01

LENGTH: 781 words

HEADLINE: Federal suit challenging locations of affordable housing moves forward

BYLINE: Eric Dexheimer AMERICAN-STATESMAN STAFF

BODY:

Clearing the way for a trial, a federal judge has determined that there is enough evidence that the state's largest affordable rental housing program has directed low-income housing projects disproportionately into poor and minority neighborhoods.

In a court order filed this week, Sidney Fitzwater , chief judge of the U.S. District Court in Dallas, agreed that over the past decade, the Texas Department of Housing and Community Affairs appeared to have approved the development of a relatively high number of low-income tax credit-financed projects in poor, minority areas while rejecting a disproportionate number of applications for such projects in affluent, white neighborhoods.

The housing department has contended that it has little discretion over where affordable housing projects are located.

"We're following what Congress and the Texas Legislature has asked us to do," said Kevin Hamby, a lawyer for the housing agency. A trial date has not been set.

While the case refers specifically to housing projects in the Dallas area, affordable housing experts said it could ultimately have a dramatic impact on a program that distributes about \$45 million a year to finance new low-income rental housing.

"This is sweeping in finding merit in the argument that the State of Texas has engaged in civil rights violations," said John Henneberger, co-director of the Texas Low Income Housing Information Service .

The program uses federal tax credits to finance affordable housing. Developers compete for millions of dollars in tax credits given to states based on their populations. The developers then sell the credits and use the money to build or rehabilitate multifamily housing projects for the poor and elderly.

Federal suit challenging locations of affordable housing moves forward Austin American-Statesman (Texas) October 1, 2010 Friday

In Texas, the tax credits finance more affordable housing units than any other program. The lawsuit was filed by a Dallas-based fair-housing advocacy organization, the Inclusive Communities Project, which claims the housing agency has used its discretion in awarding the credits to "perpetuate racial segregation and discrimination."

To many affordable housing advocates, this week's court order confirms long-standing observations in various state and federal studies: Many tax-credit affordable housing projects in Texas are clustered in neighborhoods mainly populated by poor blacks and Hispanics. The result, they say, is that the low-income residents are kept out of so-called high opportunity neighborhoods and instead are forced to attend worse schools and live in blighted areas.

In Dallas, according to the lawsuit, more than 92 percent of tax-credit financed properties have been built in census tracts with fewer than 50 percent Caucasian residents.

Though Austin is not part of the lawsuit, housing advocates said similar patterns exist here.

Walter Moreau, executive director of Foundation Communities, a nonprofit that develops affordable housing using tax credits, said about 10,000 of the units are east of Interstate 35 in neighborhoods with higher concentrations of minority residents. By comparison, 160 units are west of MoPac Boulevard (Loop 1) in whiter, more affluent neighborhoods.

Crucial to Inclusive Community's case is whether the Texas Department of Housing and Community Affairs purposely directed projects to low-income areas. To support its case, the lawsuit quotes a former housing department board member commenting on a proposed Houston project.

"I'm tired of (these projects) being put in minority communities all the time," Shadrick Bogany said in a 2003 agency meeting. "It's amazing to me how we constantly concentrate these " in just the minority community."

Today, however, Bogany, a Houston Realtor, said the lawsuit misconstrued his remarks. He blames individual communities that organize to exclude affordable housing projects.

"They don't want poor people," Bogany said, adding that the agency "does not have control over where these developments are placed."

Several affordable housing experts noted that private developers propose projects to the state, meaning the agency does not have a say in identifying potential sites.

In addition, the tax-credit application process uses a strict point system created by state and federal laws that in the past has favored siting affordable housing projects in poor neighborhoods to stimulate economic development.

Today, some of those incentives have been removed, said Sarah Anderson, an Austin consultant who advises developers seeking the tax credits. While many affordable housing projects may have been concentrated in low-income neighborhoods in the past, she said, "I honestly thought the department had been doing a pretty good job in the past few years."

edexheimer@statesman.com; 445-1774

LOAD-DATE: October 1, 2010

Mike Daniel

From: "Mike Daniel" [REDACTED]
Date: Tuesday, November 15, 2011 4:03 PM
To: "Perkins, Tim" [REDACTED]
Attach: 11-08-29Vol1.pdf; 11-08-30Vol2.pdf; 11-08-31Vol3.pdf; 11-09-01Vol4.pdf
Subject: Re: my contact information
Transcripts attached. Mr. Conine is the last witness in Volume 3 and the first witness in Volume 4.

From: Perkins, Tim
Sent: Tuesday, November 15, 2011 4:00 PM
To: [REDACTED]
Subject: my contact information

Timothy S. Perkins
Underwood Perkins, P.C.
5420 LBJ Freeway, Suite 1900
Dallas, Texas 75240

972-661-5114
972-788-3353 (e-fax)

[REDACTED]

w [REDACTED]

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Mike Daniel

From: "Perkins, Tim" <tperkins@uplawtx.com>
Date: Tuesday, November 15, 2011 4:15 PM
To: "Mike Daniel" <daniel.michael@att.net>
Subject: RE: my contact information
many thanks.
tim

From: Mike Daniel [mailto:daniel.michael@att.net]
Sent: Tuesday, November 15, 2011 4:04 PM
To: Perkins, Tim
Subject: Re: my contact information

Transcripts attached. Mr. Conine is the last witness in Volume 3 and the first witness in Volume 4.

From: Perkins, Tim
Sent: Tuesday, November 15, 2011 4:00 PM
To: daniel.michael@att.net
Subject: my contact information

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January 15, 2012 Sunday

SECTION: STATE AND REGIONAL NEWS

ACC-NO: 20120115-DA-Dallas-developers-battle-over-affordable-housing-and-government-subsidies-0115-20120115

LENGTH: 2889 words

HEADLINE: Dallas developers battle over affordable housing and government subsidies

BYLINE: Rudolph Bush, The Dallas Morning News

BODY:

Jan. 15--For months, a fight has been quietly boiling over affordable housing projects in Dallas and the way the state doled out millions of dollars in government subsidies to fund their construction.

That dispute is now spilling out publicly, pitting the nonprofit Frazier Revitalization Inc., founded by Dallas real estate giant J. McDonald Williams, against the for-profit company of Bill Fisher, a man best known for wearing a wire to put away Dallas council member Don Hill.

At the heart of the matter, amid questions over the process of awarding subsidies and suggestions of impropriety, are critical concerns about affordable housing, where it should be built and how it will do the most good for those in need.

The questions started in October, when the board of the Texas Department of Housing and Community Affairs voted 3-2 to select Fisher's company, Odyssey Residential, to receive \$20 million in lucrative tax credit subsidies for construction of apartment homes at Maple Avenue and Inwood Road.

Since then, the two sides have been firing legal salvos back and forth.

Williams, who has donated millions of dollars for the South Dallas revitalization effort, says Frazier Revitalization -- not Odyssey -- deserved the \$20 million in subsidies.

"Somebody figured out there is a way to beat the system," he said.

Fisher, meanwhile, said in an interview that Odyssey won the subsidies fairly.

"Winners win and losers whine," he said.

On Tuesday, the state board is set to either finalize or reconsider its selection of the Odyssey project with a vote on whether to waive certain rules that would otherwise disqualify the project from receiving credits. As it stands, the project has too high a ratio of one-bedroom units under state rules. The board also must agree on a minor procedural issue.

Frazier officials plan to attend the meeting to oppose the waivers.

Odyssey project wins subsidies

The board's choice of the Odyssey project, known as Copperridge, came over six other projects in Dallas and dozens of other projects around the state that also sought tax credit subsidies. The subsidies are worth millions of dollars when they are sold to investors.

Among the losers was Frazier Revitalization's Hatcher Square, a mixed-use development near Fair Park that community leaders hope will someday be a cornerstone of the area's resurgence.

Hatcher Square is one of the largest public-private partnerships in South Dallas and has long been supported by City Hall.

Frazier officials felt confident they would win a share of tax credits.

That's because their application tied with another project for the highest score the state housing staff gave to Dallas projects seeking subsidies in October.

The state scores projects based on cost, financial feasibility, location, site conditions and impact, as well as other factors. Hatcher Square scored 210; Copperridge scored 196.

But the state board in Austin had the discretion to grant subsidies to projects it deemed most worthy, regardless of score.

Board member Kent Conine moved to approve Copperridge, citing what he considered its strong financials.

The decision stunned Frazier officials and many southern Dallas leaders.

The Rev. Donald Parish, pastor of True Lee Missionary Baptist Church, across the street from the Hatcher Square site, said Odyssey "could go to any bank and get the funding they need just by virtue of them being in North Dallas."

"We've come through decades of red-lining where it's been impossible to do any type of development," he said. "To see this opportunity come so close, we were surprised we were stiff-armed."

Frazier officials fight back

Top Frazier officials decided not to take the decision quietly.

Among them was Williams, the former chief executive of Trammell Crow Co. and a one-time director of the former parent company of The Dallas Morning News.

They have sought to cast doubt on the board's decision through letters to the state housing board and through a deposition of Fisher in which he was questioned about his financial past.

Fisher's lawyers tried but failed to have the deposition sealed, stating it could be "extremely detrimental to [Fisher's] business."

Fisher, in documents and interviews, said powerful people like Williams and politicians including state Sen. Royce West, D-Dallas, are driving the push against him in a misguided effort to sink the Copperridge project and salvage subsidies for Hatcher Square.

He questioned the credibility of Frazier's former chief executive, Jon Edmonds, because of his link to a federal investigation of County Commissioner John Wiley Price. Edmonds was subpoenaed to testify before a grand jury in the case but has not been charged with any wrongdoing.

Federal housing lawsuit looms

Hovering above all of this is a major federal lawsuit that could be playing a critical, if silent, role in the selection of Copperridge over Hatcher Square.

The case, filed in 2008 by the nonprofit Inclusive Communities Project, has already led to a ruling by U.S. District Judge Sidney Fitzwater that the state's tax credit policies have had a racially discriminatory effect by segregating minorities into traditionally minority neighborhoods.

Fitzwater is now deciding whether the agency's actions were intentionally discriminatory or whether they were justified by legitimate interests.

The lawsuit was not cited during the board's public discussion on the selection of projects.

TDHCA executive director Tim Irvine said the board has been conscious of locating projects in such high-opportunity areas, meaning census tracts with higher median incomes and areas with good schools and access to transportation.

Fisher said Odyssey chose the Maple and Inwood location because it is in a high-opportunity area.

Frazier officials stated in the Nov. 4 letter to the board that the lawsuit shouldn't have affected the awarding of credits.

The lawsuit "should not be construed to block tax credit allocations for low-income neighborhoods already in transition to middle class neighborhoods, where a catalytic project like Hatcher Square will dramatically accelerate the revitalization," it stated.

The fact remains that Copperridge would be built in a wealthier, whiter part of Dallas than Hatcher Square. But it is also true that Hatcher Square scored higher than Copperridge, even with the state factoring locations into their scores.

Two sides trade barbs

The first salvo in the fight between Frazier and Odyssey came Nov. 4, when former Dallas city manager Richard Knight, Frazier's chairman, and Dorothy Hopkins, its chief executive, sent a letter to TDHCA board chairman Paul Oser that criticized elements of the Copperridge project.

They questioned its financing, whether it is "shovel-ready" and its location in a part of the city that is "currently highly developed, with more under construction and no housing inadequacies," the letter stated.

The letter also noted that "there are apparently elements of the background of Copperridge's partners not fully disclosed in their application ... we have already discovered public records reflect tax liens against one of the partners, James R. [Bill] Fisher."

It concluded that the board's selection of Copperridge "appears to be favoritism towards this applicant, and hence discrimination towards others who have tried to follow all the rules and processes of the TDHCA."

Attorneys for Odyssey responded that the claims were "false, misleading, libelous and actionable" in a letter to Knight dated Dec. 1.

Frazier officials' activities "are irreparably and knowingly harming Odyssey and its key employees," the letter stated. In addition, it stated that Fisher's personal tax lien "is irrelevant to this applicant and its award, as it has been with all applications made by Odyssey."

In an interview, Fisher said he was never a partner in Odyssey, as Frazier officials claimed, but simply an employee.

He resigned from the company Dec. 9, two days after a deposition about his personal finances. The sworn deposition was performed by Dallas attorney Lisa Blue Baron at Williams' request, ostensibly over an old debt of Fisher's unrelated to the Copperridge project.

Fisher said he left Odyssey because he "creates problems for the company" and carries baggage from his role in Hill's conviction.

He accused Baron of fishing into his past on behalf of Williams and West, who has given political support to Hatcher Square.

Probing Fisher's interest in Odyssey

During the deposition, Fisher was asked about the tax lien and a series of judgments against him totaling more than \$1 million and about his and his family's finances, according to documents.

But the deposition also appeared to be an effort to demonstrate Fisher is more than an employee of Odyssey. Fisher maintains he does not have an ownership interest in Odyssey because of his tax lien, he said.

The tax lien "precludes me from a variety of things that normal people do," he said in the deposition.

Baron questioned Fisher about an investment firm, called Naples, that Fisher said he works for but received nothing of value from in the last 10 years.

Fisher stated that he believes the investment firm is owned by a family partnership called Fisher Family Limited Partnership.

"If they own Naples Investment Company, it would have been from the time it was formed in 2001 or 2002," he stated.

He also stated that there are multiple Naples entities.

"The owner, I already told you, I believe is the family limited partnership or it's owned directly by my daughter and my son, depending on which Naples it is," he said.

Fisher's daughter Melissa Adami, 30, and his son, James Fisher III, who was 19 at the time the deposition was taken, financially benefit from Naples, according to the deposition.

Fisher stated that his son has received compensation from the company of "less than \$40,000 a year, on average, for the last five years."

Naples has provided Fisher's son with a 2006 Porsche sport utility vehicle, the document said.

Fisher drove the Porsche to his deposition, he said. He explained that his son was using his 2003 Chevrolet Tahoe

to go duck hunting that day.

Fisher said that, over the years, he has gotten loans of "less than \$100,000" from his daughter.

His daughter works for Odyssey as director of project development, according to the firm's website.

Baron questioned Fisher about what Naples does.

"Naples has ownership interest in construction companies, and that is the source of their income or net worth," he said.

But he refused to give the names of construction companies connected to Naples because his attorney advised him to answer only questions relevant to the collection of the judgment.

Baron also questioned Fisher about an Odyssey development entity named Odyssey Residential Construction.

That firm is listed in the Copperridge application as a development team member and general contractor that could earn more than \$1.3 million in profit from the project.

Odyssey president Saleem Jafar said he would "have to look at the ownership," when asked in an interview who owns the affiliated entity Odyssey Residential Construction company.

Jafar said that he is neither "a shareholder, officer nor director."

"While it is an affiliate company, I would have to look at it," he said.

In an e-mail to The News, Fisher said he has never owned or controlled any Odyssey entities.

"Ask Odyssey about their owners if you want that information," he wrote.

Fisher defends Copperridge

Fisher has vigorously defended Odyssey's plans for Copperridge as good for the city and its needy residents.

The 252-unit plan will bring 153 affordable apartments to a growing part of Dallas where the poor are being squeezed out for pricier development, Fisher said.

The city's economic development and housing department staff have worked with the developer on the Copperridge project because they see many positive aspects to it.

It is a rare subsidized project that includes both affordable and market-rate units. It is also intended to be a revenue-generating, tax-paying property.

As for the project being "shovel-ready," it will be built according to a schedule approved by the state agency, Fisher said.

And though the project site isn't yet owned by Odyssey, there is an earnest money contract that can be closed on at any time, Jafar said.

There does remain a question about the project's financing, however.

Specifically, the Dallas City Council has not yet approved \$4.5 million in financing that Odyssey is seeking to complement its \$20 million in tax credit subsidies.

It was that \$4.5 million that state board member Conine cited when he pushed the project forward.

"That told me the city of Dallas wanted it there," he said.

Normally, approval of such financing comes within days, if not weeks, of the state board's approval of tax credits.

Fisher and Jafar both said they expected the approval some time ago.

That expectation isn't unfounded. On multiple occasions, the City Council has signaled its support for the project through resolutions, zoning approval and other procedural votes that passed unanimously.

However, it's now unclear whether the funding will be approved.

Mayor Pro Tem Pauline Medrano's district includes the project, and she has supported it. But she hedged when asked if she thought the council would help finance it.

"I don't know how the vote would be. There's other council members that have other projects, and we still don't know what will happen" regarding the state board's vote Tuesday on the waiver request, she said.

Council member Carolyn Davis, whose district includes the Hatcher project, has sent a letter to the board, meanwhile, expressing her "strong opposition" to Copperridge.

"The project does not help increase the quality of life of a community in need," she wrote. "It also has individuals of questionable character involved that creates risk to the City of Dallas."

She promised to oppose any city funding for the plan.

If Copperridge can't get funding from the city, it risks losing its tax credits. And that could lead to the project's collapse.

"At that point the project, to the extent it needs any support from the city of Dallas, is over," Jafar said.

If Copperridge were to lose its credits, there would that much more money in the pot when credits are handed out this year.

And when that happens, the board will no longer have the power to award credits based on its discretion.

That power, long controversial, was stripped by Gov. Rick Perry late last year.

And Frazier officials are already planning to have the Hatcher Square project reapply, with hopes that this will be a better year.

"The only way the Hatcher Square and other projects in low-income areas can be financed is with tax credits," Williams said.

"So it's that or no project."

At a glance: How the tax credit program works

The tax credit program was created in 1986 to provide tax incentives as a way to generate private capital for the construction or rehabilitation of affordable rental housing for qualified low- and moderate-income households.

The Texas Department of Housing and Community Affairs awards credits annually to applicants seeking to develop affordable housing around the state.

Those developers who receive tax credit awards sell those credits to generate cash to help fund their development activity.

The investors can then use their credits to reduce their tax liability as long as the development continues to meet the requirements of the program.

How tax credits are awarded

All projects applying for credits are scored based on criteria set out in the state's Qualified Allocation Plan. Each year the QAP must be approved, rejected, or modified by the governor.

What are the scoring criteria?

Among other things:

A project's cost.

Financial feasibility.

Location.

Support from certain officials and neighborhood organizations.

Local financial assistance.

Site conditions.

What are forward credits?

Most subsidies are awarded based solely on the score of projects. In the past, however, the TDHCA board has had the discretion to award some funds based solely on its discretion regardless of score. These awards are known as "forward commitments" because they must be drawn from the coming year's credit allocation. Under the 2012 QAP, the state no longer allows forward credit awards.

Comparison: The projects and their components

Odyssey Residential's

Copperridge project

Location: 5522 Maple Ave.

Type: Luxury rental apartments

Units: 252 (153 affordable-housing units, 99 market-rate units)

Unit breakdown: 117 one-bedroom, 110 two-bedroom, 25 three-bedroom

Project cost: \$39 million

Planned funding sources:

\$17.6 million: Dougherty Mortgage construction loan

\$15.9 million: Proceeds from sale of tax credits

Dallas developers battle over affordable housing and government subsidies The Dallas Morning News January 15, 2012
Sunday

\$4.5 million: City of Dallas contribution

\$712,000: In-kind equity/deferred developer fee

\$300,000: Private loan or grant

Frazier Revitalization's

Hatcher Square project

Location: Hatcher Boulevard at Scyene Road

Type: Mixed-use retail and residential development

Units: 136 (all affordable-housing)

Unit breakdown: 32 one-bedroom, 73 two-bedroom, 31 three-bedroom

Project cost: \$20.7 million

Planned funding sources:

\$15 million: Proceeds from tax credits

\$4.07 million: Amegy Mortgage Capital

\$1.5 million: City of Dallas

\$96,620: Deferred developer fee

SOURCE: Texas Department of Housing and Community Affairs

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Texas court case raises LIHTC allocation issues

by RYAN SLOAN on DEC 7, 2010

A Texas court decision involving discrimination in the allocation of tax credits is the latest chapter in a national conversation on LIHTC allocation policies

This September, a court found in favor of the plaintiff's prima facie case in [The Inclusive Communities Project, Inc. v. Texas Department of Housing and Community Affairs](#) (N.D. Tex. 2010). The Inclusive Communities Project, a Dallas-based organization that helps low income individuals find affordable housing, alleged that the Texas Department of Housing and Community Affairs (TDHCA) perpetuated racial segregation and discrimination through their Low Income Housing Tax Credit allocation policies.

TDHCA acknowledged the statistical findings of segregation but argued that § 42 gave them a mitigating "compelling government interest". TDHCA cited the mandate in § 42, "to give preference to projects that serve the lowest income tenants and that are located in HUD-designated 'qualified census tracts'". The court denied summary judgment on this defense, claiming the, "Defendants have failed to establish that TDHCA cannot comply with § 42 in a way that has less discriminatory impact on the community" and citing that by TDHCA's own admission, there is no conflict between § 42 and the Fair Housing Act.

This is not the first case of its kind in recent years. In 2003 a group of four public interest organizations challenged the validity of New Jersey's Qualified Action Plan. On appeal ([In RE: Adoption of the 2003 Low Income Housing Tax Credit Qualified Allocation Plan](#)) a judge ruled in favor of the state, finding that the state satisfied its fair housing duties given its agenda under section 42 of the tax code, "[the fair housing duties] must be defined congruent with its [New Jersey Housing Mortgage Finance Agency's] express statutory powers and far-reaching housing agenda as defined under federal and state law. See 26 U.S.C.A. §42..."

While the subsequent legal proceedings in Texas have potentially significant implications on tax credit allocation policy within the state, this case is part of a broader national conversation on the roll of allocation policies in perpetuating segregation and discrimination.

[Harry J. Kelly](#), Partner at Nixon Peabody LLP, believes that while the ruling certainly raises "red flags," it is possible that it will not be upheld in trial: "Texas could settle consensually or they could go to trial and find protection within section 42. The judge read several inferences very liberally and that opinion may not be upheld upon appeal."

He went on to note, however, that, "if the case does reach judgment it will encourage similar suits around the country." He sees the judgment as a ruling of dissatisfaction with the efforts TDHCA took in preventing § 42 selection criteria from producing discriminatory housing patterns. He noted a trend in other states towards considering additional factors in allocating tax credits, explaining "we see over the course of the last five years more attempts in QAPs to take into consideration additional factors. Is the project near a

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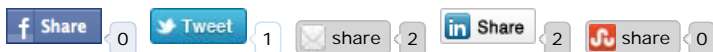
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hospital? A school? A transportation hub? These QAPs are taking advantage of additional criteria to encourage development of low income housing tax credit projects in non-segregationist patterns.”

An example of that trend is the State of Maryland QAP, which awards additional points for projects, “located in a school or election districts or census tracts with key demographic indicators at rates higher than the average for the County in which the project is located.” Said demographic factors include: Maryland School Assessment (MSA) scores (elementary and secondary), median home sales prices, educational attainment (high school and bachelor’s degrees), employment, personal income, voter participation, and homeownership rates. More recently, the state of Delaware included a threshold requirement in their draft 2011 QAP entitled *Communities of Opportunity*. The new section, found on page 38 of the draft document, reads:

“Newly created (conversion or new construction) units shall to promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income residents or in areas containing a high proportion of affordable rental units (no other low-income housing in immediate area – within 3 block area). In addition, communities with minimal affordable rental units relative to their housing needs shall also be considered for newly created units (only market rate rental housing is in immediate area – within 3 block area).”

Christina M. Hardin-Dirksen, Chief of Community Relations for the Delaware State Housing Authority, said “DSHA has been working with our stakeholders over the last year or so, and has been looking at this issue”. She cited a “fair share” housing philosophy, enumerated in the May 2010 report entitled *Who Can Live in Delaware?*, and which aims to evenly distribute the housing opportunities for families most “at-risk”. The *Communities of Opportunity* threshold requirement, Dirsken said, was added “in an effort to encourage this policy”.



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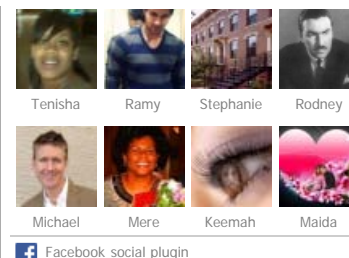
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DSHA holds Qualified Action Plan public hearing



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Mike Daniel

From: "Don Williams" [REDACTED]
Date: Tuesday, November 01, 2011 2:06 PM
To: [REDACTED]
Attach: Frazier Current Developments.docx; Frazier Go-Forward Operating Plan.docx; Frazier Financial History, Current Conditions & Exhibits.pdf; Frazier History and Current Activities.docx
Subject: Frazier Workout Plan
Mike:

Thank you for visiting with me over the phone and for your very helpful call with Lisa. I have always admired and respected you and your legal practice and heart for social justice and civil rights – and your doggedly successful ways to improve conditions for those normally left out.

For your information, I am attaching a confidential summary of Frazier Revitalization's history and go-forward plans. Any advice from you is always welcome.

With best personal wishes,

Don Williams



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
SUNSET ADVISORY COMMISSION
SELF EVALUATION REPORT

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TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS SELF-EVALUATION REPORT

I. AGENCY CONTACT INFORMATION.

Texas Department of Housing and Community Affairs Exhibit 1: Agency Contacts				
	Name	Address	Telephone & Fax Numbers	E-mail Address
Agency Head	Michael Gerber	221 East 11 th Street; PO Box 13941, Austin, TX 78711-3941	512.475.3930 (o) 512.469.9606 (f)	michael.gerber@tdhca.state.tx.us
Agency's Sunset Liaison	Brooke Boston	221 East 11 th Street; PO Box 13941, Austin, TX 78711-3941	512.475.1762 (o) 512.469.9606 (f)	brooke.boston@tdhca.state.tx.us

II. KEY FUNCTIONS AND PERFORMANCE.

A. Provide an overview of your agency's mission, objectives, and key functions.

The Texas Department of Housing and Community Affairs (TDHCA or the Department) is the affordable housing agency for the State of Texas. Through contract awards with for-profit, non-profit, and local government organizations, the Department supports local activities expanding homeownership, the development and preservation of quality affordable rental housing, poverty and homelessness prevention programs, the provision of weatherization and utility bill assistance, colonia housing programs, and the regulation of the state's manufactured housing industry. The Department is also the state's lead agency for housing recovery from hurricanes Rita, Dolly, and Ike. TDHCA's mission is "to help Texans achieve an improved quality of life through the development of better communities."

TDHCA accomplishes this mission by administering a variety of programs for households whose incomes are extremely low to moderate as determined by state and federal guidelines. A primary function of TDHCA is to act as a conduit for federal grant funds for housing and community services. Additionally, TDHCA operates as a housing finance agency.

More specific policy guidelines are provided in the Texas Government Code, Section 2306.002 of TDHCA's enabling legislation as excerpted below:

(a) The legislature finds that:

- (1) every resident of this state should have a decent, safe and affordable living environment;
- (2) government at all levels should be involved in assisting individuals and families of low income in obtaining a decent, safe and affordable living environment; and
- (3) the development and diversification of the economy, the elimination of unemployment or underemployment and the development or expansion of commerce in this state should be encouraged.

name because of divorce or widowing in which case the ex-spouse is also on the title. Titles with liens are a common challenge for contract-for-deed conversions. When clear title cannot be obtained, assistance is often delayed, or under some federal programs, not possible.

H. Discuss any changes that could impact your agency's key functions in the future (e.g., changes in federal law or outstanding court cases).

TDHCA is, as noted, a housing finance agency and as such its success and challenges are tied to the housing, finance and real estate markets. As an issuer of bonds, TDHCA is impacted by changes in the housing finance industry, which may limit the supply of bond proceeds that can be used to provide housing. Indirectly, as the housing, finance and real estate markets decline, developers and applicants for TDHCA resources are less able to pursue development activities. For these reasons, in 2008 and 2009, the economic and housing crises have had a damaging effect on TDHCA funding resources, interest in some programs, and capacity to leverage with private sources. TDHCA, because of its nature, will continue in the future to have its programs impacted by variations in the economic market.

Two other direct funding activities provide a significant impact on the current and future function of TDHCA; TDHCA is receiving significant amounts of disaster recovery and stimulus funds (further described under Program Description). The receipt of these two sources is causing a vast increase in funds being administered by the Department which impacts staffing, reporting systems and financial systems. The possibility of additional funding designed for housing activities will also impact TDHCA; as TDHCA pursues its mission to promote housing for low income Texans, it will continue to receive directly and apply competitively for resources. At present, TDHCA is seeking grant approval for an additional \$100 million in Neighborhood Stabilization Program II (NSPII) funds, has obtained Board permission to apply for approximately 100 additional rental housing vouchers for persons with disabilities, and will likely in the next several years be a direct recipient of National Housing Trust Fund monies.

Because of TDHCA's role as a conduit for federal funds, federal law or rule changes are common to program administration at TDHCA. Staff is adept at staying apprised of, and trained on, new federal requirements.

TDHCA and its governing board are currently involved in one significant piece of litigation that could impact the governing statute. The case is being tried in federal court in the Northern District of Texas and is captioned *as Inclusive Communities Project, Inc. v. TDHCA, et al.* The suit is for injunctive relief to prevent the board from awarding any tax credits in the Dallas area due to Fair Housing Act violations. The suit reality seeks to set aside 26 USC §42 and parts of Chapter 2306 of the Texas Government Code related to funding of developments as related to scoring and how developments are provided credits associated with costs of construction. The case is set for trial February 1, 2010. TDHCA is currently represented by Looper, Reed and McGraw out of Dallas.

I. What are your agency's biggest opportunities for improvement in the future?

The Department's biggest opportunities for improvement will be the elimination of obstacles to affordable housing identified above. To reduce obstacles to affordable housing, TDHCA closely monitors affordable housing trends and issues and on occasion conducts its own research. For example, as a result of the identification of insufficient funding, the Department requested and was appropriated an increase in funding for the Housing Trust Fund by the 81st Legislature. In addition, through roundtable discussions and public hearings held throughout the state, TDHCA makes adjustments to its programs to address community input on affordable housing obstacles. To illustrate this point, the Housing Trust Fund is including several capacity-building components into its programs as a result of public input at a roundtable. The capacity-building components will focus on increasing the ability of self-help housing organizations to administer housing programs and on increasing the capabilities and access to funds for rural communities interested in affordable housing. Furthermore, to obtain

AGENCY STRATEGIC PLAN

FOR THE FISCAL YEARS 2011–15 PERIOD

BY

The Texas Department of Housing and Community Affairs

Board Chair
Mr. C. Kent Conine

Term
9/14/1997 – 1/31/2013

Home Town
Dallas, Texas

Date of Submission
July 2, 2010

SIGNED:



Michael Gerber, TDHCA Executive Director

APPROVED:



C. Kent Conine, TDHCA Board Chair

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contributions (i.e., donations of land, waivers of fees such as building permits, water and sewer tap fees or similar contributions) that would benefit the development. Applicants may also receive points for developing in locations with city or county-sponsored zones or districts or rehabilitating an existing Residential Development that is part of a Community Revitalization Plan.

Local governments control each applicant's ability to provide evidence of proper zoning for the development site and consistency with local consolidated planning documents. In instances where the property is not currently zoned for housing, the local government may deny a requested zoning change which would make the development ineligible for consideration.

Local governments have significant input on applications in their local areas.

- For applications that involve HTCs, applicants must receive a resolution from the local governing body for approval to add new units if the application is proposing new construction that is within one mile of an existing development that has received an allocation of Housing Tax Credits or Private Activity Bonds for new construction within the last three years and that serves the same population type (elderly/elderly or family/family). This applies to applications proposing New Construction and Adaptive Reuse in counties with over one million in population.
- Additionally, applications proposing development in a city or county that has more than twice the state average per capita of affordable housing units supported by Housing Tax Credits or Private Activity Bonds must receive a resolution from the local governing body for approval to develop in that city or county. This applies to applications proposing New Construction, Adaptive Reuse, and Acquisition / Rehabilitation.

While they do not impact TDHCA directly, the following local governmental issues can be barriers to the provision of affordable housing.

- **Zoning provisions:** A municipality's zoning authority governs the type and direction of growth within their boundaries. Ordinances may be passed to encourage affordable housing through measures such as lowering minimum lot sizes, decreasing building setback requirements, and lowering minimum square footages of homes. However, ordinances that prohibit these types of activities can drive land and construction costs up to the point that affordable housing cannot be built.
- **Impact Fees and Development Fees:** As a condition of permit approval, municipalities may assess fees to pay for infrastructure costs. These impact fees increase the cost of developing all types of housing including affordable housing.

The Department has a significant legal dispute, litigation styled ICP vs. TDHCA et al. This lawsuit is currently pending in the Federal District Court for the Northern District of Texas and is scheduled for trial beginning August 2010. Plaintiff, the Inclusive Communities Project is an organization created out of the Walker v. HUD litigation to address racial issues in public housing. They allege that in the Dallas area the Department has engaged in

concentration of units in high minority areas creating racial discrimination in the administration of the low income housing tax credit program and have sought an injunction to prevent the TDHCA Governing Board from awarding more credits in Dallas. Additionally they seek to disregard Texas statutes passed by the Texas Legislature and allow the board to make awards using broad discretion.

The Department has denied the allegations and contends that it has administered the program in conformity with the requirements of applicable state and federal law. The location of the low income housing tax credits are admitted; however, the Department contends that the requirements governing the program and the results they yield, including giving preference to certain qualified census tracts, are a direct result of the federal mandates reflected in Section 42 of the Internal Revenue Code

Settlement discussions were held but, as the Plaintiff's seek a rewrite of state and federal law, TDHCA was unable to agree to the resolutions sought.

IX. SELF-EVALUATION AND OPPORTUNITIES FOR IMPROVEMENT

A. Effectiveness and Efficiency of the Department

Performance Measures

This section discusses performance measures established by the 81st Legislature. Goals one through five are established through interactions between TDHCA, the Legislative Budget Board and the Legislature. They are referenced in the General Appropriations Act enacted during the most recent legislative session.

GOAL 1: TDHCA will increase and preserve the availability of safe, decent and affordable housing for very low-, low- and moderate-income persons and families.

Strategy 1.1

Provide mortgage financing and homebuyer assistance through the Single-Family Mortgage Revenue Bond Program

Strategy Measure	2009 Target	2009 Actual	% of Goal	2010 Target
Number of single-family households Assisted through the First Time Homebuyer Program	1,716	835	48%	1,911

Explanation of Variance: Due to volatility in the housing market in 2009, the resulting mortgage crisis and the disruption in the investor markets, the Department has been unable to structure and make available a mortgage revenue bond program. Therefore, our performance figures are much lower than originally projected.



Tax Credit Alert

Recent developments in tax credits

A publication of Nixon Peabody LLP

OCTOBER 14, 2010

Texas Court's decision raises wider scrutiny of tax credit allocation policies

By Harry J. Kelly

For years, developers and investors have known that in order to qualify for low-income housing tax credits ("LIHTCs"), owners have to show that their units are "available to the general public." According to Treasury Reg. §1.42-9(a), this means that, among other things, the units must be rented in a manner that is consistent with HUD rules implementing the Fair Housing Act ("FHA").

But what about the state housing finance agencies that allocate those tax credits—what are their obligations under the FHA? Late last month, a federal district court in Texas attempted to answer that question in *The Inclusive Communities Project, Inc. v. Texas Dept. of Housing and Community Affairs*, No. 3:08-CV-0546-D, 2010 U.S. Dist. LEXIS 102777 (N.D. Tex. Sept. 28, 2010). *Inclusive Communities* is one of those decisions that law professors love, because it turns on obscure rules concerning shifting burdens of proof, permissible inferences drawn from the evidence, and the conflicting procedural requirements of different motions under the rules that govern litigation in federal courts. Sifting through these procedural issues, however, the *Inclusive Communities* decision outlines a new sort of fair housing case that challenges decisions by state housing finance agencies—and potentially, owners and developers of LIHTC properties—concerning where tax credit properties are located and how tax credits are allocated.

The Decision

The plaintiff in the *Inclusive Communities* case was a Texas-based organization that assists low-income families to find housing in Section 8 and tax credit properties. Among other things, it alleged that the Texas Department of Housing and Community Development (the "Agency") disproportionately approved more LIHTC developments in low-income neighborhoods and, conversely, disproportionately denied LIHTC applications in majority Caucasian neighborhoods. Based on these and similar findings, the Texas court concluded that the plaintiff had satisfied the relatively modest requirements of establishing a *prima facie* case for a violation of the FHA. Perhaps more disturbingly, the court—drawing on inferences from this statistical evidence, as well as other policy actions by the Agency and statements made by Agency officials—concluded that the plaintiff had

shown that the Agency also established a prima facie case for intentional discrimination under the post-Civil War civil rights statutes, 42 USC §§ 1982 and 1983.

Perhaps unavoidably, the Agency did not significantly contest these statistical findings that allowed the plaintiff to make out a prima facie discrimination case. Instead, given the prima facie finding of discrimination, the burden shifted to the Agency to show that its allocation policies had a “compelling government interest.” Op. at *9. To carry this burden, the Agency relied on portions of Section 42 of the Internal Revenue Code, such as § 42(m)(1)(B), which requires each state housing finance agency’s Qualified Allocation Plan (“QAP”) to give preference to projects that serve the lowest income tenants and that are located in HUD-designated “qualified census tracts” that also are impacted by high poverty rates. Essentially, the Agency said that it was following federal orders in allocating tax credits, and because minority status and low income are highly correlated, it was virtually unavoidable that tax credits would be concentrated in minority neighborhoods and not in Caucasian ones.

The Texas court rejected this defense, at least with respect to the Agency’s summary judgment motion. Unfortunately, the opinion did not detail the arguments presented by the Agency about why Section 42 compelled its allocation outcomes, and the court denied the Agency’s motion on this defense with little explanation, saying succinctly (at *10) that the Agency had “failed to establish without genuine dispute that [the Agency] cannot comply with § 42 and the [FHAct].”

Reading between the lines, it appears that the court felt that the Agency had not demonstrated that there were less discriminatory methods that could have been used to satisfy the requirements of both Section 42 and of the FHAct. Certainly, in terms of teachable lessons for the Agency and other state housing finance agencies, it would have been helpful if the court had detailed more fully both the Agency’s explanation of the impact of Section 42 on its decision-making, as well as the court’s reasons for finding those arguments unpersuasive. In any event, this defense is saved for trial, along with the plaintiff’s claim that the invocation of Section 42 is only a pretext for the Agency’s alleged discriminatory practice.

What does it mean?

The *Inclusive Communities* opinion is not the last word in this matter, because as noted the court has reserved several issues—including the “compelling government interest” defense—for trial. Nevertheless, the decision represents a significant challenge to the way in which state housing finance agencies have allocated tax credits and makes clear that those agencies’ decisions are subject to fair housing scrutiny for potential discriminatory results. Thus, it raises several serious questions for state housing finance agencies, developers, and investors, including the following:

- To the extent that fair housing questions have arisen in the LIHTC program, they typically relate to whether the developer/owner/manager is complying with the “for use by the general public” requirement of Treasury Reg. § 1.42-9. There has been comparatively little scrutiny of the operations of state housing finance agencies, and whether their allocation policies, over the life of the LIHTC program, may have inadvertently perpetuated racial

segregation as a result of pursuing otherwise legitimate anti-poverty goals. Thus, *Inclusive Communities* may lead the IRS to take a more detailed view of how tax credits are being allocated, to determine whether current policies have had a discriminatory effect, and whether other steps could be taken to reduce that effect.

- Although *Inclusive Communities* focused on QAPs issued by state housing finance agencies, it is not inconceivable that the same approach could be used against developers to argue that their development decisions resulted in discriminatory development plans.
- An argument could be made that, if the state housing finance agency's allocation process was flawed, tax credits allocated pursuant to its QAP may also be subject to a fair housing challenge. Treasury Reg. 1-42.9(a) states, however, that a unit is for use by the general public "if the unit is **rented** in a manner consistent with housing policy governing non-discrimination" issued by HUD. Emphasis added. Thus, the rule focuses on rental practices, not on the allocation process, and should not be used after the fact to invalidate tax credits already awarded, solely on the basis of a fault in the allocation process.
- Certainly, *Inclusive Communities* should set off alarms among state housing finance agencies, encouraging them to examine their own statistics and to determine whether changes in their QAPs should be made to reduce the potential for discriminatory impacts (for example, by giving additional points to locational factors that tend to desegregate tax credit housing). State housing finance agencies should be particularly concerned about low levels for approvals of tax credit applications in majority Caucasian areas, since the Texas court seemed particularly upset that the Agency had disproportionately disapproved such applications. Since it was relatively easy for the plaintiff in this case to demonstrate a discriminatory effect—the Texas court noted (at *10) that the Agency "conceded . . . that [the plaintiff] has established a prima facie case"—many state agencies may find that their own allocation practices have had a similarly discriminatory effect that may make them targets for similar litigation.

Harry J. Kelly is a partner in the Affordable Housing Practice Group, located in Nixon Peabody's Washington, D.C. office. His phone number is 202-585-8712 and his email address is hkelly@nixonpeabody.com.

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

The Inclusive Communities Project, Inc.,
Plaintiff,

v.

The Texas Department of
Housing and Community Affairs, and
Michael Gerber,
Leslie Bingham-Escareño,
Tomas Cardenas,
C. Kent Conine,
Dionicio Vidal (Sonny) Flores,
Juan Sanchez Muñoz, and
Gloria L. Ray in their official capacities,
Defendants.

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Civil Action No. 3:08-CV-00546-D

DECLARATION OF ABIGAIL SELF

My name is Abigail Self and I am over the age of eighteen. I am employed as a researcher for Daniel & Beshara, P.C., and I am experienced in using GIS software to make GIS maps. My work for Daniel & Beshara, P.C. includes creating GIS maps.

I created the maps that are in this Appendix at Tabs 6 and 7, Appendix pages 26 to 33.

The program that I used to create the maps is ArcGIS Desktop 10 from Esri, a widely used program that is the industry leader in desktop GIS (Geographic Information Systems) software.

The following steps outline the process for creating the foundation for the maps regarding Hatcher Square neighborhood conditions:

I downloaded the Hatcher Square 2011 application from the TDHCA website at <http://www1.tdhca.state.tx.us/htc/2011apps/11098.pdf>. Based on the location specified in the application for Hatcher Square as the Northwest corner of

Scyene Road and Hatcher Blvd., I geocoded the address (placed a dot on the map) using that intersection.

The scope of the maps is the two mile service radius indicated on page 267 of the Hatcher Square 2011 application. I used the “Buffer” function in ArcGIS to create a two mile radius around Hatcher Square.

I drew the outline of the Hatcher Square development using the “Drawing” and “Line” functions in ArcGIS. I determined the boundaries based on the maps on pages 274-275 of the Hatcher Square application. I also viewed the proposed site using Google Earth.

I used the layer file created for ICP Exhibit 197 to indicate the physical address of each LIHTC property in the two mile radius. I originally created this layer using ICP Exhibit 5 to geocode the addresses of the LIHTC properties (placed the dots on the map) to indicate the physical address for each property. In creating these maps I then labeled the LIHTC properties that are located within the two mile radius of Hatcher Square.

To create the layer “Area Occupied by LIHTC Properties” I determined the area occupied by each property using Google Earth and the Multifamily Underwriting Analysis reports in ICP Exhibits 350 (Frazier Fellowship and Mill City Parc) and 517 (Wahoo Frazier). I then drew the boundaries using the “Drawing” and “Line” functions in ArcGIS.

The basemap is a satellite image layer entitled “World Imagery” that is available as a feature of ArcGIS.

Map of Distance From Hatcher Square to Surrounding LIHTC Properties

(Appendix Page 27)

In this map I drew a line between Hatcher Square and each of the LIHTC properties in the two mile radius. I then used the “Measure” function in ArcGIS to measure the distance between the two properties and labeled each line with the distance in miles from Hatcher Square. A similar map showing the proximity of LIHTC properties can be found in Exhibits 198.

Map of Hatcher Square and Surrounding LIHTCs with Crime Hot Spots (Appendix Page 28)

The crime hot spots were originally identified in the article, “A look into Dallas’ crime ‘hot spots’” by Tod Robberson, published in The Dallas Morning News on October 7, 2011. The article lists the source for the ‘hot spots’ as the Dallas Police Department’s Strategic Deployment Bureau and The Dallas Morning News. I obtained the shapefile (a type of GIS file) indicating the location of the hot spots through an email request to the staff at The Dallas Morning News. I added this shapefile to the map foundation described above.

Map of Hatcher Square and Surrounding LIHTCs with Industrial Land Use (Appendix Page 29)

I downloaded the shapefile “Land Use 2005” for Dallas County from the NCTCOG (North Central Texas Council of Governments) GIS Data Clearinghouse and added this to the map foundation. I also downloaded the metadata (information about the file) for the shapefile “Land Use 2005” which contained a chart showing the codes for each Land Use, from which I saw that “131” is the code for Industrial. I added the shapefile to the map foundation, then changed the properties of the shapefile to only draw symbols for Industrial Land Use.

Map of Hatcher Square and Surrounding LIHTCs with Low-Income Communities with Limited Access to Major Grocery Stores (Appendix Page 30)

I downloaded the data on low income communities with limited access to major grocery stores was from the United States Department of Agriculture's Food Desert Locator (<http://www.ers.usda.gov/data/fooddesert/index.htm>). This was downloaded as a list of 2000 census tracts that fit their criteria for Food Deserts. I added the table to the map, added the shapefile for 2000 Census tracts (downloaded from the U.S. Census website), and joined the data to the 2000 census tracts to create the layer indicating which tracts on the map fit the criteria.

Map of Neighborhood Conditions in Hatcher Square Application Two Mile Service Radius (Appendix Page 31)

In this map I combined the conditions from the previous three maps and added them to the foundation map.

Map of Hatcher Square and Surrounding LIHTCs with 2000 Census Tracts (Appendix Page 32) and Map of Hatcher Square and Surrounding LIHTCs with 2010 Census Tracts (Appendix Page 33)

I downloaded shapefiles containing 2000 and 2010 Census tracts for Hatcher Square and surrounding LIHTCs from the U.S. Census website and added them to the foundation map to create these two maps.

Map of Existing LIHTC projects and 2012 LIHTC Applications in the Dallas Central Business District (Appendix Page 26)

The program that I used to create the map is ArcGIS Desktop 10 from Esri, a widely used program that is the industry leader in desktop GIS (Geographic Information Systems) software.

The following steps outline the process for creating the foundation for the maps regarding existing and proposed LIHTC properties in the Dallas Central Business District:

Using the 2012 Application Log, I geocoded the addresses for the three proposed developments in the Dallas Central Business District.

Using the 2011 Property Inventory I geocoded the existing LIHTC projects in the Dallas Central Business District.

I then used the Buffer function in ArcGIS to draw a one mile radius around EVERgreen Residences.

I used the Census 2010 Edges shapefile for Dallas County to display roads and highways in the Dallas Central Business District.

I took the location information for the projects from the TDHCA reports containing that information. I then used the same GIS mapping tools described above to create the map.

I checked all of my work and the maps are accurate representations of the data that is stated to be represented in the maps.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 21, 2012.



Abigail Self

Respectfully Submitted,

/s/ Michael M. Daniel

Michael M. Daniel

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Certificate of Service

I hereby certify that on May 21, 2012, I electronically submitted the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Texas, using the electronic case files system of the court. The electronic case files system will send a "Notice of Electronic Filing" to the following individuals who have consented in writing to accept this Notice as service of this document by electronic means: Timothy E. Bray, Assistant Attorney General, State of Texas; Shelly Dahlberg, Assistant Attorney General, State of Texas; Michael C. Kelsheimer, William B Chaney, George Tomas Rhodus, James D MacIntyre.

s/ Michael M. Daniel